

FILE DESCRIPTION

NEW YORK FILE

SUBJECT

ROSENBERG / Sobell
COMM. LEE

FILE NO. 100-107111

VOLUME NO. BULKY

SERIALS IB 1

THRU

70

NOTICE

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BULKY EXHIBIT

Date received 1/5/52
NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE - 100-107111

(Title of case)

Submitted by Special Agent

J. HARRINGTON

Source from which obtained

See Serial 610

Address

Purpose for which acquired

Investigation

Location of bulky exhibit

In cabinet with file

Estimated date of disposition

To be decided at conclusion of case

Ultimate disposition to be made of exhibit

Retained

List of contents:

- X Photostatic copy of pamphlet "To Secure Justice in the Rosenberg Case" and letter.

Pamphlet destroyed 12/11/52

100-107111-1A

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 6 1952	
NEW YORK	

Chen

BULKY EXHIBIT

Date received 2/25/52
NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE -

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

2. Statement by Joseph Brainin, Professional Chairman, National Committee to Secure Justice in the Rosenberg Case.

X Booklet captioned "To Secure Justice in the Rosenberg case."

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 6 1952	
FBI - NEW YORK	

BULKY EXHIBIT

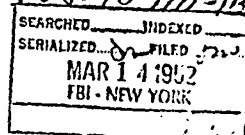
Date received 3/13/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained CSNY 426
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

4. Material obtained from above captioned subject -
5. Material obtained from above captioned subject - Letter signed by Joseph Brainin.
6. Material obtained from above captioned subject - Press Release dated March 3, 1952.



BULKY EXHIBIT

Date received 3/5/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial **b7d**

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

7. A mailing received by [REDACTED]
from the National Committee to Secure Justice in the Rosenberg Case,
246 Fifth Avenue, N.Y.

b7d

(3)
100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAR 19 1952	
FBI - NEW YORK	

812

BULKY EXHIBIT

Date received 3/12/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent HYMAN N. RABINOWITZ

Source from which obtained _____

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

8. Notes taken by SE Hyman N. Rabinowitz, at the meeting 3/12/52 at Pythian Hall, 135 W. 70th Street.

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100-107111-1A

SEARCHED.....	INDEXED.....
SERIALIZED <i>dm</i>	FILED <i>h</i>
MAR 19 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 3/14/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-18
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial [redacted] b7d

Address ...

Purpose for which acquired Investigation

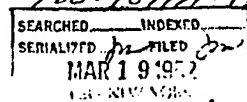
Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

9. One photo taken at a meeting of the National Committee to Secure Justice in the Rosenberg Case held at Pythian Hall, 135 West 70th St. NYC on March 12, 1952. Individuals on Platform Identified from left to right as follows: William Reuben, Rev. Spencer Kennard, Mary Van Kleeck, Joseph Brainin, Albert E. Kahn, Helen Sobell.
10. Two pictures of the meeting of the National Committee to Secure Justice in the Rosenberg case Held at Pythian Hall, 135 West 70th Street, NYC on March 12, 1952.



BULKY EXHIBIT

Date received 3/14/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial [redacted] 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In Vault

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

11. Daily Worker's Customer's Invoice Advertising Receipt.

17J

(6)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAR 27 1952	
FBI - NEW YORK	

BULKY EXHIBIT

Date received 3/14/52

NATIONAL COMMITTEE TO SECURE JUSTICE

IN THE ROSENBERG CASE

100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained

EST 126 - See Serial

Address

Purpose for which acquired Investigation

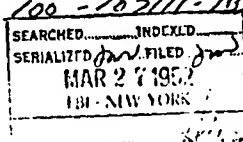
Location of bulky exhibit In Vault

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

12. Material obtained from above captioned subject. Press release.



BULKY EXHIBIT

Date received 3/18/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained NY 26 - the Serial

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In Vault

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

- ✓ 13. Material obtained from above captioned subject- Press release dated March 10, 1952.

✓ transferred as an attachment to ser 8 you
me the - drew 11/1/52 jml

(8)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAR 20 1952	
FBI - NEW YORK	

BULKY EXHIBIT

Date received 3/16/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-13

(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial [REDACTED] b7d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In Vault
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

14. Material obtained from above captioned subject - Press Release dated March 13, 1952.

(9)
100-107111-13
SEARCHED INDEXED
SERIALIZED FILED
MAR 27 1952

BULKY EXHIBIT

Date received March 18, 1952

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained NY 426 - See Serial
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In Vault
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

15. Material obtained from above captioned subject - Press Release dated March 7, 1952.

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100-107111-1B
SEARCHED INDEXED
SERIAL FILED

SEARCHED _____ INDEXED _____
SERIAL 100 FILED 100

BULKY EXHIBIT

Date received 4/1/52

NATIONAL COMMITTEE TO SECURE JUSTICE

IN THE ROSENBERG CASE

100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained CSNY - See Serial

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

17. Material obtained from above captioned subject on 3/14/52.

(12)

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
APR 15 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 4/1/52

NATIONAL COMMITTEE TO SECURE JUSTICE

IN THE ROSENBERG CASE

100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained CSNY 425 - See Serial

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

18. Material obtained from above captioned subject - "A Mother Writes from the Death House - "We are Innocent"

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
APR 1 5 1952	
FBI - NEW YORK	

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FD-141
(7-1-48)

BULKY EXHIBIT

Date received 4/1/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained CS 725 - See Serial

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

19. Material obtained from above captioned subject - Press Release dated March 20, 1952.

(14)

100-107111-1B

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
APR 15 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 4/7/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. HARRINGTON

Source from which obtained See Serial **b7d**

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

20. Material obtained from above captioned subject - Press Release dated March 20, 1952.

(15)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
APR 1 9 1952	
FBI - NEW YORK	

File

BULKY EXHIBIT

Date received 4/7/52

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE
100-107111-1B
- (Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial [REDACTED] b7d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

21. Material obtained from above captioned subject - "March 28-
ROSENBERG DAY" GETS WIDE SUPPORT: CATHOLIC EDITOR AMONG AMICUS SIGNERS.

(16)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
APR 19 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 4/11/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial [REDACTED] b7d
Address ...
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

22. Material obtained from above captioned subject - A Fact Sheet on Anti-Semitism in the Case: Newspaper Comment.

(12)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
APR 19 1952	
FBI - NEW YORK	

[Signature]

BULKY EXHIBIT

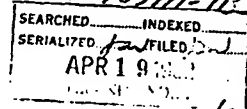
Date received 4/18/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial 64d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

23. Material obtained from above captioned subject - ASK NEW ATTORNEY
GENERAL TO FACILITATE SECOND TRIAL FRO ROSENBERGS, MORTON SOBELL



BULKY EXHIBIT

Date received 3/12/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. Wilson

Source from which obtained _____

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

7 Pamphlet titled "The Rosenberg Case" a fact sheet. *Detroy Dead photo of 11-1-52*

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100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
APR 24 1952	
FBI - NEW YORK	

100-107111-1B

BULKY EXHIBIT

Date received 3/31/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1 B
(Title of case)

Submitted by Special Agent J. W. Dooley
Source from which obtained See Serial [REDACTED] 67d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

25. Printed pamphlet entitled "The Rosenberg Case - A Fact Sheet" issued by subject organization.
26. Printed pamphlet entitled "To Secure Justice in the Rosenberg Case" by Wm. A. Reuben published by subject organization.
27. Printed flyer announcing a public meeting for 3/12/52 at Pythian Hall, NYC, regarding the Rosenberg case, held under the auspices of subject organization.
28. Mimeographed form letter on letterhead of subject organization, dated 2/29/52, asking for contributions to the Rosenberg case fund.

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
APR 24 1952	

(20)

BULKY EXHIBIT

Date received 3/31/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. W. DCCLEY

Source from which obtained b7d [redacted] See Serial [redacted]

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

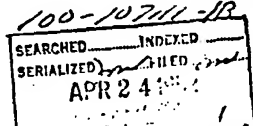
Ultimate disposition to be made of exhibit Retain

List of contents:

f Press release dated 3/10/52 carrying the caption "U.S. AND CANADIAN ORGANIZATIONS AMONG THOSE CALLING FOR NEW FAIR TRIAL IN ROSENBERG CASE." issued by subject organization. *Dist. as dup. 2/1/54*

30. Petition captioned "AMICUS BRIEF IN THE ROSENBERG CASE" issued by subject organization.

31. Mimeographed pledge card of subject organization.



BULKY EXHIBIT

Date received 4/19/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial **b7d**
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

32. Photostatic copy of a handwritten note from Margaret Shipman,
of 238 8th Street, N.E. Washington DC.

b7d

(22)

100-107111-1B

SEARCHED	INDEXED
SERIALIZED <i>for</i>	FILED <i>for</i>
APR 24 1952	

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BULKY EXHIBIT

Date received 5/7/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained _____
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

33. Photostatic copy of material obtained from Committee to Secure Justice in the Rosenberg Case entitled - Retired Army General Among Thousands Calling for New Trial for Rosenbergs.

(23)

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 12 1952	
FBI - NEW YORK	

[Signature]

BULKY EXHIBIT

Date received 3/25/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-13
(Title of case)

Submitted by Special Agent L. F. Schwartz
Source from which obtained [REDACTED] **b7d**
Address [REDACTED]
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

* Booklet "To Secure Justice In Rosenberg Case." *Detached & kept 11x55 201*

(24)
100-107111-13

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 13 1952	
FBI - NEW YORK	

For

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
Date received 5/3/52
100-10711-1B
(Title of case)

Submitted by Special Agent J. HARRINGTON
Source from which obtained See Serial [redacted] b7d
Address
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

35. One copy each of material re this committee:
1. Pamphlet - The Rosenberg Case - a fact sheet
2. Piece of paper stating speaker, place and time on discussion of the Rosenberg Case. *Dated 5/3/52*
3. Letter addressed to Dear Friend and signed by John Stone On Washington Committee to Secure Justice in the Rosenberg Case letterhead. *b7d*

(25)
100-10711-1B
SEARCHED.....INDEXED.....
SERIALIZED.....FILED.....
MAY 15 1952
FBI - NEW YORK
[Signature]

BULKY EXHIBIT

Date received 5/20/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained _____
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

36. Material received from above committee "Statement of Purpose".
37. Letter addressed to Dear Friend signed by William A. Reuben dated 11/21/51
38. ~~Two~~ photostatic copies of material received from above committee (pres. release 1/3/52 - "NEWLY-FORMED COMMITTEE CALLS FOR JUSTICE IN ROSENBERG CASE")
One copy destroyed 1/20/53

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100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 2 1952	

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BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

Date received 5/12/52

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial 64d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

39. Material received from above committee:

" Fund Appeal Brings Wide Response: Rosenberg Committees in
25 Cities.

40. Material received from above committee:

" Committee Will Appeal Against Police Interference with
Efforts to Win New Trial in Rosenberg - Sobell Case.

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100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 28 1952	

File

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

Date received 5/21/52

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

41. Material received from above committee:

" Ask New Attorney General to Facilitate Second Trial for
Rosenbergs, Morton Sobell."

100-107111-1B (38)

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 28 1952	
FBI - BUREAU	

Handwritten signature/initials

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE Date received 5/24/52
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained ...
Address ...
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

42.  b7d

(29)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 28 1952	
FBI - NEW YORK	

Am

BULKY EXHIBIT

Date received 5/2/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial [REDACTED] b7d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

43. Material received from above committee titled "Far Rockaway to Hold Meeting on Rosenberg Case April 29th.

(20)
100-107111-1B
SEARCHED INDEXED
SERIALIZED FILED

Sm

BULKY EXHIBIT

Date received 5/7/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. HARRINGTON

Source from which obtained See Serial **b7d**

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

44. 

b7d

(3)
100-107111-1B
SEARCHED yes INDEXED yes
SERIALIZED yes FILED yes
MAY 9 1952
FBI - NEW YORK
Am

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE Date received 5/16/52
JUSTICE IN THE ROSENBERG CASE

100-107111-13
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

45. Material received from above committee titled "Retired Army General Among Thousands Calling for New Trial For Rosenbergs."

(32)
100-107111-1B

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BULKY EXHIBIT

Date received 6/17/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-13
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained ...

Address ...

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

46. ~~These~~ ¹ booklet: "The Letters of Julius and Ethel Rosenberg." *2 destroyed 11/21/52*
47. Material received from above committee:
- (a) Pledge card
 - (b) Amicus Brief in the Rosenberg Case.
 - (c) Press Release - 6/12/52
 - (d) A fact sheet on anti-Semitism in the case: Newspaper Comment.

(33)

100-107111-13

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 20 1952	
FBI - NY	

Am

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG

Date received 6/19/52

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

48. Material received from above committee:
Photostats of Anti-Semitic Propaganda in Rosenberg
Case to Be Given to all attending June 17 meeting.
Religious, Civic Leaders to Speak.

(34)
100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 25 1952	
FBI - NEW YORK	

[Signature]

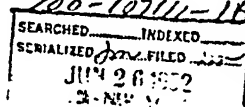
BULKY EXHIBIT

Date received 6/20/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial 61d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

49. Announcement of Public Meeting 6/24/52 "The Truth in the Rosenberg Case" Sponsored: National Committee to Secure Justice in the Rosenberg Case"



BULKY EXHIBIT

Date received 6/5/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1 B
 (Title of case)

Submitted by Special Agent J. HARRINGTON
 Source from which obtained See Serial 67d
 Address _____
 Purpose for which acquired Investigation
 Location of bulky exhibit In cabinet with file
 Estimated date of disposition To be decided at conclusion of case
 Ultimate disposition to be made of exhibit Retain

List of contents:

7. Listings of autos attending meeting which was held at the Hotel Grenadeen . *Destroyed 1952*

(36)

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 11 1952	

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BULKY EXHIBIT

Date received Various
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained _____
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

51. Material received from above committee:

- (a) Press Release 6/2/52
(b) piece of paper - receipt of \$1:05
(c) ~~3~~ throw aways "he are Innocent".

~~4-2-52~~
2-

100-107111-1B (37)

SEARCHED	INDEXED
SERIALIZED	FILED

1
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BULKY EXHIBIT

Date received 5/23/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial [REDACTED] 6.4

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

52. Material received from above committee:

"Women Seek Visit to Ethel Rosenberg in Death House on
Occasion of Mother's Day - 5/11/52

138
100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED

[Signature]

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
Date received 5/28/52
100-107111-1 B
(Title of case)

Submitted by Special Agent J. Harrington
Source from which obtained See Serial 67d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

53. Material received from above committee:
"Anti-SEMITES CALL FOR LYNCHING OF ROSENBERGS THREATEN
SUPREME COURT JUDGES IF NEW TRIAL GRANTED * Dated 5/15/52

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED

June

BULKY EXHIBIT

Date received 6/23/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

100-107111-13
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained [REDACTED] b7d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

54. Pamphlet, petition and envelope furnished by [REDACTED]

b7d

(40)

100-107111-13

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 9 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 6/27/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. HARRINGTON
Source from which obtained See Serial **b7d**
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

55. [REDACTED] . b7d Referral

(41)

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 9 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

Date received 7/2/52

100-107111-1B
(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial **b7d**

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

56. Material received from above committee:

Two public meetings on the Rosenberg Case are scheduled
for this week in Manhattan.

(42)
100-107111-1B

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SERIALIZED	FILED
JUL 9 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

Date received 7/2/52

100-107111-13
(Title of case)

Submitted by Special Agent J. HARRINGTON

Source from which obtained See Serial 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

57. Material received from above committee:

10,000 AMERICANS SIGN ROSENBERG AMICUS BRIEF IN SINGLE
WEEK.

(42)

100-107111-13

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 9 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 7/2/52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent J. HARRINGTON
Source from which obtained See Serial [REDACTED] b7d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retain

List of contents:

58. Material received from above committee:

New Yorkers Meet at Manhattan Towers in Rally for
New Trial in Rosenberg Cas.

(44)

100-107111-1B

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JUL 9 1952	
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BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE

Date received 7/2/52

100-107111-1B

(Title of case)

Submitted by Special Agent J. Harrington

Source from which obtained See Serial 67d

Address _____

Purpose for which acquired Investigation

Location of bulky exhibit In cabinet with file

Estimated date of disposition To be decided at conclusion of case

Ultimate disposition to be made of exhibit Retain

List of contents:

59. Material received from above committee:

TWO NEW ROSENBERG MEETINGS FOLLOW TREMENDOUS OVERFLOW
BROOKLYN RALLY.

(45)

100-107111-1B

SEARCHED	INDEXED
SERIALIZED	FILED
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[Signature]

BULKY EXHIBIT

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
Date received 7/2/52
100-107111-1B
(Title of case)

Submitted by Special Agent J. HARRINGTON
Source from which obtained [REDACTED] b7d
Address _____
Purpose for which acquired Investigation
Location of bulky exhibit In cabinet with file
Estimated date of disposition To be decided at conclusion of case
Ultimate disposition to be made of exhibit Retained

List of contents:

☒ Material received from above committee:

TWO NEW ROSENBERG MEETINGS FOLLOW TREMENDOUS OVERFLOW
BROOKLYN RALLY.

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dup*

100-107111-1B 46

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 9 1952	
FBI - NEW YORK	

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BULKY EXHIBIT

Date received 8-14-52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
100-107111-1B
(Title of case)

Submitted by Special Agent See below

Source from which obtained See below

Address _____

Purpose for which acquired Evidence and Information

Location of bulky exhibit Vault

Estimated date of disposition To be decided at conclusion of case.

Ultimate disposition to be made of exhibit To be retained pending conclusion of case

List of contents:

62. One circular headed "We Are Innocent". [redacted] Subm. 8-14-52 by SA John Wilson Jr. b7d
63. Newspaper article entitled "Vultures and Victims" by Max Levine, from the NY Post, dtd. 6-19-52. Subm. 8-14-52 by SA J. Wilson.
64. One pamphlet printed in Yiddish. [redacted] Subm. by SA J. Wilson 8-14-52.
65. One circular headed "An Urgent Appeal for Your Support for Justice in the Rosenberg Case." [redacted] Subm. by SA Wilson 8-14-52. b7d
66. Printed flyer announcing a Public Meeting for 6-24-52 at Manhattan Towers, NYC, held under the auspices of captioned org. [redacted] subm. by SA John Dooley. See ser. [redacted] b7d

100-107111-151471

SEARCHED.....	INDEXED.....
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AUG 14 1952	
FBI - NEW YORK	

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X *Outing* 8/15/52

BULKY EXHIBIT

Date received 8-14-52
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE.

100-107111-1B
(Title of case)

Submitted by Special Agent See below

Source from which obtained See below

Address _____

Purpose for which acquired Evidence and Information

Location of bulky exhibit Vault

Estimated date of disposition To be decided at conclusion of case.

Ultimate disposition to be made of exhibit To be retained pending concl. of case.

List of contents:

For the following five exhibits, see ser. b7d

~~67~~ Pamphlet entitled "The Rosenberg Case, a fact sheet".

67. A press release dtd. 6-18-52, entitled "Brooklyn Meets in Verflow Rally at Biltmore in Rosenberg Case".

68. A press release by Comm. dtd. 6-12-52, to Secure Justice in the Rosenberg Case.

69. A Press release by Comm. dtd. 6-10-52, to Secure Justice in the Rosenberg Case.

70. A press release by Comm. dtd. 6-14-52, to Secure Justice in the Rosenberg Case.

X Destroyed 1-15-57

100-107111-1B (46)

SEARCHED	INDEXED
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AUG 14 1952	
FBI - NEW YORK	

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JULIUS ROSENBERG, et al.
NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
1B1	Destroyed	—		
2	Letter	✓		
3	Booklet "To Secure Justice in Rosenberg Case"	✓		
4	Truck	✓		
5	Truck	✓		
6	Truck	✓		
7	Booklet "To Secure Justice in Rosenberg Case"	✓		
8	Notes by Rabionowitz	✓		
9	Photographs of meeting	—		Too large for describing
10	Photograph of meeting	—		Too large for describing
11	Truck	✓		
12	Truck	✓		
13	Transferred to another serial	—		
14	Truck	✓		
15	Truck	✓		
16	Truck	✓		
17	Truck	✓		
18	Truck	✓		
19	Truck	✓		
20	Truck	✓		
21	Truck	✓		
22	Truck	✓		

JULIUS ROSENBERG, et al.
NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
23	Snack	✓		
24	Pamphlet destroyed	—		
25	Fact sheet	✓		
26	Destroyed	—		
27	Fliper	✓		
28	letter	✓	B7D	
29	Destroyed	—		
30	Petition	✓	B7d	
31	Pledge card	✓		
32	Snack	✓		
33	Press release	✓	B7d	
34	Destroyed	—		
35	Fact sheet of destroyed leaflet letter	✓		
36	letter	✓		
37	letter	✓		
38	Press release	✓		
39	Snack	✓		
40	Snack	✓		
41	Snack	✓		
42	Informant report	—	b7d	
43	Snack	✓		
44	Exonated material	—	b7d	

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
45	Truck	✓		
46	Booklet	✓		
47	Address card, letters, Penn. Blue	✓		
48	Truck	✓		
49	Truck	✓		
50	Destroyed	—		
51	Truck	✓		
52	Truck	✓		
53	Truck	✓		
54	Pamphlet + petition	✓	b7d	
55	Letters	—	Referral	
56	Truck	✓		
57	Truck	✓		
58	Truck	✓		
59	Truck	✓		
60	Destroyed	—		
61	Destroyed	—		
62	Destroyed	—		
63	Pamphlet	✓		
64	Circular	✓		
65	Flyer	✓	b7d	
66	Destroyed	—		

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

[illegible]

HERE IS WHAT YOU CAN DO:

- WRITE to President Truman and Attorney General J. Howard McGrath asking that the government consent to a reversal of the Rosenberg conviction, thus allowing for a new trial or discontinuance of their prosecution.
- URGE your Senators and Congressman to make the foregoing request to the White House and the Department of Justice.
- DISTRIBUTE this pamphlet as widely as possible.
- SUPPORT the National Committee to Secure Justice in the Rosenberg Case.

National Committee to Secure Justice in the Rosenberg Case
346 Fifth Avenue, New York 1, N. Y.

Please enlist me in the National Committee to Secure Justice in the Rosenberg Case. Enclosed \$..... to help bring the facts of the case to a wider audience and to assure funds for legal needs. Please send me copies of all materials issued by the Committee. You may (may not) use my name in the Committee's work.

Please send me copies of this pamphlet for distribution.

Name

Address

City Zone State

To SECURE

JUSTICE in the Rosenberg Case

By William A. Reuben

FOREWORD

WHEN the death sentence was passed on Julius and Ethel Rosenberg on April 16, 1951, for alleged atomic espionage for the Soviet Union, the American people were shocked and disturbed. There was widespread feeling that the unprecedented death sentence was savage. Never before in our history had a civil court imposed a death sentence for espionage, either in peace or war time.

The Rosenbergs have unswervingly asserted their innocence, have stated they are being victimized by the prosecution for their avowed political and social views, and have said, "We are victims of the grossest type of political frame-up known in America."

Most of the press assumed that justice had been done in the case. There were some exceptions, particularly the Jewish press, which expressed amazement at the cruelty of the death sentence.

But a full report of the case was not made available to the public until August, 1951, when the National Guardian began to publish a series of articles by William A. Reuben. His revelations have confirmed the fears of many who had doubted the guilt of the Rosenbergs and convinced many others who had not followed the case originally. As a result of this series, the National Committee to Secure Justice in the Rosenberg Case was formed. As one of its first acts, the Committee is bringing out herewith in slightly abridged form the series by Mr. Reuben.

We ask you to read it carefully—and judge for yourself.

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE



ETHEL AND JULIUS ROSENBERG
Victims of a cold war Sacco-Vanzetti case?

MUST THEY DIE?

By William A. Reuben

ON March 6, 1951, in a federal courtroom at Foley Square in New York City, this nation's first atom-bomb spy trial began, when the clerk-of-court solemnly intoned:

"The United States of America versus Julius Rosenberg, Ethel Rosenberg and Morton Sobell."

U.S. Atty. Irving Saypol announced that the government was ready.

Julius and Ethel Rosenberg were defended by Emanuel H. Bloch and his father, Alexander Bloch. Sobell was represented by Edward

M. Kuntz and Harold M. Phillips.

Nearly 300 talesmen were questioned before a jury of 12 plus four alternates could be seated. It is singular that in a city more than 30% Jewish in population, not a single talesman of Jewish extraction survived the day and a half of questioning before a jury was seated.

TRIAL BY PRESS: The government announced it would call 118 witnesses. Among them were to be top nuclear physicists Dr. J. Robert Oppenheimer and Dr. Harold C. Urey and Lieut. Gen. Leslie Groves, head of the war-time atomic bomb project.

... "Undefinable" testifies pervaded the courtroom," wrote Meyer Berger in the N.Y. Times. "The silence was extraordinary" as the trial got under way. To press and public, this question seemed to be not the guilt or innocence of the defendants; but whether or not they would be given the death penalty.

(Judge Kaufman himself, during questioning of one talesman, said it was for him alone to decide whether to impose death or a lesser penalty. The judge caught himself only after defense attorney Emanuel Bloch pointed out the jury's verdict might be for acquittal, making it unnecessary for the judge to impose any sentence at all.)

When the jury had been seated, U. S. Atty. Saypol opened in hushed tones, reading from a prepared statement. He described the defendants as "traitorous Americans" whose "love of communism and the Soviet Union" led them to deliver to the Russians

"... the one weapon that might well hold the key to the survival of this nation and the peace of the world—the atom bomb."

Saypol promised to show that the loyalty and allegiance of the Rosenbergs and their co-defendant Morton Sobell was not to America but to

"... communism in this country and communism throughout the world, under the dictatorship of the Soviet Union. . . . I do not consider it necessary in this opening statement to deal extensively on the plot that will be unfolded before you. . . . The testimony will come from witnesses who were there, who saw and heard what these defendants said

and did over a period of years to commit this crime."

CASE DEFLATES: Eight and a half court days later, the government rested its case (which it had announced beforehand would take three months to present). Of the 118 government witnesses originally announced, only 20 were produced. Oppenheimer, Urey and Groves were never called. Of the 20:

- Eight (including six imported from Mexico) testified as to details of the Sobell family's trip to Mexico, without in any way implicating either Sobell or the Rosenbergs in the crime charged against them.

- Two army colonels testified to security measures at the Los Alamos project during the war.

- A physicist employed as a liaison-man by the Atomic Energy Commission explained a sketch David Greenglass drew in court concerning some of the components of the atom bomb.

- Rosenberg's family doctor testified that Rosenberg had asked in behalf of a friend about inoculations necessary to enter Mexico.

- Ruth Greenglass' brother-in-law, Louis Abel, testified to hiding \$4,000 for David Greenglass and turning it over to his attorney, O. John Rogge, after Greenglass' arrest.

- Ruth's sister (Mrs. Abel) testified that Julius Rosenberg had once asked her to leave the room during a visit to her sister.

- One witness identified a pho-

tograph of Soviet consular aide Anatoli Yakovlev, named in the indictment as a defendant four years after he returned to the U.S.S.R. in Dec., 1946.

ENTER MISS BENTLEY: Of the remaining five witnesses, two were self-styled one time spy couriers—Elizabeth Bentley and Harry Gold. Neither had ever known or seen or been involved in any way with any of the defendants.

Gold gave lurid and surefire headline-creating testimony about how the spy ring operated. Miss Bentley, who now earns her livelihood as a paid government witness, said that membership in the Communist Party made it "implicit" to carry out orders from Moscow and that it

"... only served the interests of Moscow, whether it be propaganda, or espionage or sabotage."

These two introduced a mysterious "Julius," unknown to either of them, whose name recurred in telephone conversations and in a password used in the spy plot.

NECK-SAVERS FILL THE BILL: The remaining three witnesses were Max Elitcher and the Greenglasses. Despite the prosecution's promises of 118 witnesses and overwhelming evidence to corroborate the case against the Rosenbergs, only these three offered any testimony purporting to incriminate them. The Greenglass charges against Julius and Ethel Rosenberg, in-laws with whom they were on the outs, won David Greenglass a merciful, 15-year sentence (eight years with good behavior) instead of a possible

death sentence in New Mexico, where he had been indicted but never brought to trial; and won Ruth Greenglass complete freedom. Max Elitcher's "cooperation" with the FBI provided the government's entire case against Morton Sobell as well as "corroborating evidence" against Julius Rosenberg; and allowed Elitcher, an electrical engineer and former classmate of both Sobell and Rosenberg at the City College of New York, to escape a perjury charge hanging over his head that could have sent him to jail for five years and ruined him professionally and economically for life.

To backstop the self-saving testimony of these three, the government produced two exhibits purporting to incriminate the Rosenbergs: (1) a Spanish Refugee Appeal collection can found in the Rosenberg apartment; and (2) a nominating petition signed in 1941 by Ethel Rosenberg for Peter Cacchione, successful Communist candidate for New York City Council (50,000 New Yorkers signed this petition). These were the only government exhibits which were directly linked to the Rosenbergs. Yet, this is the "evidence" which U.S. Attorney Saypol had assured the jury

"... will prove to you, not only beyond a reasonable doubt, but beyond any doubt, that . . . these defendants have committed the most serious crime which can be committed against the people of this country."

Because of the flimsiness of the government's case, the absence of any convincing proofs, documentary or circumstantial, the impeachability of the three witnesses

on whom its case was based, the host of peculiarities surrounding the arrest and the build-up of charges against Ethel and Julius Rosenberg, it must be asked: Does "the most serious crime" which has landed them in the Death House at Sing Sing prison have to do with committing espionage—or with harboring radical ideas?

THE JURY NEVER KNEW THIS

THE most damning feature of the testimony of both Gold and Elizabeth Bentley—and, indeed, perhaps the most incriminating aspect of the government's entire case—was the introduction by them of a mysterious "Julius."

Gold testified that, in establishing contact with Greenglass in New Mexico, when he paid him \$500 after receiving information pertaining to atom bomb experiments going on at the secret Los Alamos Project, where Greenglass was stationed during the war, the code words he used were: "I come from Julius." Gold had in fact come from visiting Dr. Klaus Emil Julius Fuchs in Santa Fe.

Miss Bentley said that during 1942 and 1943 she received several telephone calls from a man whose voice she could not describe and whose identity she did not know, except that he was "someone who called himself Julius."

The government presented this evidence in the obvious expectation, which proved correct, that the jury would decide that this mysterious "Julius" was Julius Rosenberg.

But a startling fact, not introduced by the defense at the trial because it was not known to them, was contained in the New York Times of February 4, 1950. In reporting the arrest of the arch-conspirator of the "spy plot," Dr. Klaus Emil Julius Fuchs, the Times made this statement a full year before the "Julius" evidence was presented by the government in asking death for Julius Rosenberg:

"Dr. Fuchs, who is charged in London with unlawfully disclosing atomic secrets, was known to his friends here as 'Julius.'"

"DAVEY'S IN TROUBLE"

UNTIL they found themselves under arrest in the summer of 1950, charged with atomic spying, the story of the life of Ethel and Julius Rosenberg was probably very like that of thousands of young New York couples.

A few months after his graduation from C.C.N.Y. in 1939, Julius married Ethel Greenglass, a government secretary who had studied piano and voice. Ethel had a job as a clerk-typist with the Census Bureau in Washington and the couple went there to live for a short time. But Julius soon got a job as junior engineer with the U.S. Signal Corps in New York, and Ethel quit her Washington job to join him. They were very deeply in love.

After living with in-laws and in furnished rooms for a time, they found an apartment in Knickerbocker Village housing project in 1942. As soon as they were settled they had their first baby—a boy, now aged 8.

Julius lost track of his CCNY friends for the most part. He ran into two of them, Morton Sobell and Max Elitcher, at a swimming pool in Washington, D.C., when he was assigned to the Bureau of Standards in 1940. In 1944, on a Signal Corps assignment, he visited Elitcher again but couldn't locate Sobell this time. In 1946 he lost his Signal Corps job on charges of Communist Party affiliation (which he denied, but to no

effect). He then went to Washington again to see his Congressman to try and get a clearance; he again visited the Elitchers, rode around Washington with them trying to locate the Congressman and some union people, then went home.

When Julius lost his Signal Corps job he landed one with Emerson Radio at \$77 a week, but overtime provided a hike in pay over the government job. He was laid off toward the end of 1945. Thereupon he and one of Ethel's brothers went into the surplus business with another fellow. When Ethel's other brother, David Greenglass, got out of the Army in 1946, they took him into the partnership and changed the name to the G. & R. Engineering Co. In '47 they reorganized the firm, took a \$15,000 investor, David Schein, and became the Pitt Machine Products Co. Inc.

David Greenglass, the "baby" of the family, was a special favorite of his sister, Ethel. David's wife, Ruth, was friendly with the Rosenbergs too. When the couples got together, they talked about the war among other things, Julius being a staunch advocate of a second front. When David went off to an army camp, Ethel wrote the family letters to him for their mother, who couldn't write English well.

DAVID IN TROUBLE: One day

In 1943, while David was stationed in New Mexico, Ruth called Julius and asked him to visit her where she was living with her sister. She whispered to Julius to get her sister to leave the room, then told him she was worried about David. He had some idea of stealing something from the Army and selling it, she said. Julius told her to advise David to steer clear of that sort of thing and to stay out of trouble. Julius thought at the time it was some sort of black-market business, and told Ethel about it when he got home.

When David came back from service the two men never discussed this affair. Julius didn't know whether Ruth had told David about telling him of it. By



DAVID GREENGLASS

Saving his own skin?

then, of course, Julius knew that David had been assigned to the atomic project in Los Alamos as a machinist, but did not connect the two circumstances. As partners in the business, the personal relations of David and Julius worsened with its declining fortunes. The upshot was that in 1949 David pulled out as a partner and Julius agreed to pay him \$1,000 after some other obligations of the firm had been met.

From then on they were scarcely on speaking terms; the \$1,000 went unpaid; David and Ruth kept trying to collect it, but Julius didn't have it. (Finally the Greenglasses instructed their lawyer to bring suit for the money.) Once David even aimed a punch at Julius. After that the couples avoided one another except at family gatherings.

But then, in the middle of May, 1950, David came to the Pitt Machine Shop and told Julius he had to talk to him privately. The two men went across the street to Hamilton Fish Park. There in a very excited and agitated condition, David asked Julius for \$2,000. Julius told David he didn't have that kind of money and had no way of getting it. He pointed out further that he owed David only \$1,000. David then asked Julius to try to get him a certificate for a small-pox vaccination and to find out the type of injections needed to enter Mexico. Julius wondered if David was in some kind of trouble, but David refused to discuss his reasons for needing the money or the certificate.

"HELP DAVEY": During the talk David had become very agitated and that night Julius told Ethel about the incident. Both of them recalled the conversation in 1945 with Ruth Greenglass about David having ideas of stealing some things from the Army. They both remembered also David having mentioned casually that in February, shortly after Dr. Klaus Fuchs was arrested on spying charges, he (David) had been questioned by FBI agents. The Rosenbergs suspected that David was in trouble of some sort, but they thought it probably had to do with stealing gasoline or perhaps uranium from Los Alamos.

Mainly because of Ethel's saying, "Julie, we ought to try to help Davey," Julius on his regular trip to the doctor's for hay-fever shots a few nights later asked his doctor if it was possible to give a certificate of having had shots to someone who never had them. The doctor said that would be impos-

able, and a few days later Julius went to the Greenglasses' apartment and told David what the doctor said. David told Julius to forget it, that he would take care of it himself.

"YOU'LL BE SORRY": During the first week of June, David telephoned Julius at work to say he must talk to him again. On his way to work next morning, Julius stopped off at the Greenglass apartment and then the two men went outside and walked toward East River Drive. During their walk, David again said that he had to have \$2,000 in cash and this time he asked Julius to borrow it for him, either from relatives or the business.

Julius again told David it was impossible to get the money. David became angry and threatened:

"Well, Julie, I've just got to have that money and if you don't get me that money you are going to be sorry."

THIS IS YOUR FBI

ON MAY 22, 1950, Ruth Greenglass left a N.Y. hospital where six days previously she had given birth to her second child. She returned with the baby to her ex-GI husband, David, at their apartment at 266 Stanton Street on the city's lower East Side.

Next morning, May 23, the newspapers headlined a story that brought consternation to the new parents: An alleged Soviet spy

courier named Harry Gold had been arrested in Philadelphia by the FBI in connection with an alleged spy ring centering around Dr. Klaus Emil Julius Fuchs, German-born British scientist stationed at Los Alamos during World War II.

AN OLD ACQUAINTANCE: Five years earlier, according to the trial testimony, on a Sunday morning the first week in June, 1945, this same Gold, whose pho-

topograph was now on front pages throughout the country, had visited the apartment of 20-year-old Ruth and 23-year-old Sgt. David Greenglass in Albuquerque, N.M. He produced a torn half of a yellow box matching one that they had in their possession. Gold had first visited Dr. Klaus ("Julius") Fuchs at Santa Fe. He introduced himself to the Greenglasses with the password: "I come from Julius," and asked for certain written information pertaining to a secret lens mold used in the manufacture of the atom bomb. David Greenglass produced the requested material, handed it over to Gold, and received \$500.

In February, 1950—three months before the papers announced Gold's arrest, and a few days after Fuchs' arrest in London—FBI agents had come to the Greenglass apartment in New York to question David about his duties and activities at Los Alamos. Ruth was present. The FBI made no move to arrest Greenglass at that time.

Four months later, on June 15, Greenglass was home preparing formula for their new child. Their three-year-old child was there, too. Ruth Greenglass had badly burned herself a few days earlier and was in a hospital for treatment. There was a knock on the door. The young father answered it. Four FBI agents walked in. They told him he was under arrest on charges of committing espionage for the Soviets during the war.

The FBI agents stayed in Greenglass' apartment for

5½ hours, until 7:30 that night. They questioned him and made a thorough search of the apartment. In going through a trunk of old letters and papers, one of the agents picked out a sheaf of mathematical notes, brought them over to Greenglass and said:

"What's this, some of your atom bomb secrets?"

"No," Greenglass replied. "That's just some of my brother-in-law's math notes from college."

This — according to the government testimony at the trial — is how Julius Rosenberg's name first came into the case.

THE HIDDEN \$4,000: David Greenglass was taken to FBI headquarters and questioned until the early hours of the next morning. Finally he was allowed to telephone another brother-in-law, Louis Abel, to whom he had previously given \$4,000 to hold for him. Greenglass asked Abel to retain O. John Rogge, one-time Asst. U.S. Attorney General under Tom Clark.

Later that morning, Abel went to the Rogge law firm and turned over the \$4,000. Rogge appeared at the arraignment that afternoon, protested his client's innocence and asked for lowered bail. In opposing Rogge's demands, U.S.

Attorney Irving Saypol demanded that Greenglass be held in \$100,000 bail and had him placed in solitary confinement.

That same day the FBI paid its first visit to Julius Rosenberg, whose college notes of 12 years earlier had been found in the Greenglass apartment. The FBI men said they wanted to talk to Julius about his brother-in-law, David Greenglass. Julius accompanied them to the Federal Bldg. in Foley Square, and for about three hours they asked him questions about David, pressing him for specific dates about David's visits to New York on furlough during the war.

Through them, Julius learned that David had been arrested the day before and had, they said, confessed to stealing atomic secrets for the Soviet Union. Then, after they had been asking him questions about David for three hours, one of the FBI men said, "Dave said you told him to supply information for Russia."

Rosenberg asked to be allowed to confront Greenglass to hear these "foolish accusations" from his own lips. The FBI agents ignored his request. Rosenberg then demanded and got permission to consult a lawyer. He telephoned his union's law firm. They asked whether he was under arrest. When Rosenberg said no, they told him to "put on your hat and walk out," which he did.

"SOMEBODY MORE IMPORTANT:" The same day, other FBI agents went to the hospital to question Ruth Greenglass. No

testimony on this interview was ever introduced. (The government put no FBI agents on the witness stand—an indication that they might have proven extremely vulnerable to defense questions dealing with the interrogations and "confessions" made by certain key witnesses.) But when Ruth Greenglass left the hospital two days later she had an immediate consultation in her home with attorney Rogge. She said that her husband had had dealings with Gold, that it was she who had deposited the \$500, and that she had been present the previous February throughout an FBI interview with her husband. She said:

"I thought the FBI was leading to somebody other than my husband, that they wanted somebody much more important than he."



RUTH GREENGLASS
She chose freedom

Rogge then "outlined the different courses that could be taken."

On July 6 in New Mexico, a federal grand jury handed down a four-count espionage indictment against David Greenglass. The charges against him, based on sworn information given to the grand jury by nine persons, including four FBI agents, were that "on about June 3, 1945, in Albuquerque" David Greenglass had:

- (1) Met and conferred with Harry Gold; (2) Received \$500 from Gold; (3) Prepared a sketch of a "high explosive lens mold"; (4) Prepared a statement concerning the Los Alamos project.

The grand jury charged that Greenglass had delivered these atomic secrets to Gold and to Anatoli Yakovlev "for transmission to the U.S.S.R." For conviction on any one of these overt acts David Greenglass faced the death penalty.

"THE GENERAL SITUATION": The day following the indictment the federal commissioner in New York ordered Greenglass' immediate removal to New Mexico; but Rogge asked for a week's delay. A week later, on July 13, Rogge secured another postponement. U.S. Attorney Saypol approved the delay. He explained:

"I do not feel it appropriate to state publicly the substance of discussions which have been going on, but I acquiesce in this application for adjournment."

In its account of these proceedings, the N.Y. Daily Mirror reported:

The court appearance followed the latest of a series of conferences between Rogge and Saypol. Rogge said

he has been talking with both his client and Saypol and would like to have "several more talks with my client here before removal proceedings are held." His talks with the accused spy, he said, have been about "the general situation."

SAYPOL CONFERS: In mid-July, Ruth Greenglass, after her first interrogation by the FBI on June 16 and her initial consultation with Rogge, met with Saypol, members of his staff, FBI agents and her husband for three days in a row. The conference had been arranged by Rogge. These conferences with Ruth Greenglass culminated with her signing a statement in which she implicated the Rosenbergs.

On July 17 the FBI placed Julius Rosenberg under arrest, with an announcement, issued jointly from Washington by J. Edgar Hoover and J. Howard McGrath, charging him with having recruited his brother-in-law, David Greenglass, into a Russian spy ring "early in 1945."

FREE ON A "HUNCH": Thus, in one month, what started with an FBI agent's chance question about Julius Rosenberg's college math notes had been shaped up to provide a political sensation. In police parlance the "atomic plot," involved was a "closed case" before Rosenberg was brought into it. All the accused participants had confessed. The chief one, Dr. Klaus Emil Julius Fuchs, British-employed German scientist stationed at Los Alamos project during the war, was already serving time in England (and still works for the British government).

His motive, Fuchs said, was misdirected idealism. Three of his four alleged accomplices in America had no political idealism, only a cash motive; the fourth Harry Gold, was an anti-left-wing adventurer.

Thus the government was deprived of a political culprit in the plot, and the case was on the point of being quietly and unsensationally concluded when Julius Rosenberg was suddenly brought into it. For, in arresting Rosenberg, the government was able to stress the fact that in 1945 he was discharged from government em-

ploy on charges that he was a member of the Communist Party.

Ruth Greenglass' hunch—that the "government" was seeking "somebody much more important" than the Greenglasses—proved right.

Today, as the Rosenbergs sit in the Death House at Sing Sing prison, parted from their two children, their accuser, Ruth Greenglass, a self-labeled spy, is free with her two children. Her husband, David, saved from trial for his life in New Mexico, will be free in eight years, with good behavior.

"EVIDENCE" AND HOW IT GREW

GEN. BURGOYNE: "... The sooner he is hanged, the better."

AIDE: "We have arranged it for 12 o'clock. Nothing remains to be done except to try him."

—Shaw's "Devil's Disciple"

IN spite of the red-scare headlines resulting from the announcement of the Rosenbergs' arrest, the government still had to make a case against the Rosenbergs.

Scores of FBI agents were assigned to check on the friends, neighbors, business associates etc. of the young progressive couple. For Julius' college mates at CCNY there was a special going-over.

Among these were found two, both of whom were employed by the Reeves Instrument Co. in New York, who were made to measure

for FBI purposes. One, an electrical engineer named Max Elitcher, had failed to report Communist Party membership in applying for a government job, had eventually quit the job for fear this would be disclosed, and could still be prosecuted for perjury—meaning a possible five-year sentence and ruin. The other, who lived back-to-back with Elitcher in Queens, L.I., had recently (June 21, 1950) taken his family to Mexico for the summer. His name was Morton Sobell, and he was alleged to have once been a member of the Young Communist League.

The FBI first interviewed Elitcher on July 20, three days after Julius Rosenberg's sensationally publicized arrest. He was told they had information he was involved

in espionage. After several hours' questioning he asked to go home and consult his wife. The FBI went with him, Mrs. Elitcher was at home with her two children, a four-year-old and a new baby.

Within 12 hours Elitcher had signed a statement implicating Julius Rosenberg. He then made a beeline for the law office of O. John Rogge who was already representing the Greenglasses.

The statement Elitcher signed for the FBI said that on two visits to his home in Washington during the war Rosenberg had asked him to spy for the U.S.S.R. but that he had never done so.

KIDNAPING PARTY: On Aug. 31 prosecutor Irving Saypol got a sealed warrant for the arrest of Sobell. It charged him with five "overt acts," all of which were identical: having "had conversa-



MORTON SOBELL
Sentenced to 30 years on no evidence

tions" with Julius Rosenberg over a two and a half year period, at six month intervals. On Aug. 16 ten armed men broke into the Sobell apartment in Mexico City, blackjacked him, dumped him into one car of a five-car caravan and drove three days and nights until they reached the U.S. border. There, waiting FBI agents arrested Sobell and took him to New York where he was arraigned Aug. 25 and held in \$100,000 bail.

There was still no case against Sobell, except that the Sobells and the Rosenbergs had visited each other from time to time and Sobell had "fled" to Mexico. (There is no evidence that he was up to anything more incriminating than a vacation. The known facts: his home in Queens was not even subtlet; he and his family had booked air passage, rented their Mexico City apartment, in their own names in an apparently normal way.)

FUEL FOR THE BONFIRE: But there, too, Sobell's classmate and neighbor Elitcher came in handy for the FBI. Although in his first two statements (July 20 and 21) Elitcher did not mention Sobell, he finally signed a third statement in October, according to his own testimony, which quoted Rosenberg as saying: "Sobell is also in this."

(Sobell was indicted on Oct. 10, stood trial with the Rosenbergs, was found guilty and sentenced to 30 years in prison. No overt acts were charged against him, his conviction depended solely on Elitcher's testimony. Sobell's at-

torneys called no witnesses nor did Sobell testify in his own defense, in the belief that the jury would reject the unsupported testimony of Elitcher in the face of no government allegations of overt acts. His case, like that of the Rosenbergs, has been "appealed.")

Whether or not the government, in kidnaping and arresting Sobell, had any genuine expectation of convicting him, hauling him in helped add fuel to the red-spy bonfire being built up around the Rosenbergs.

MRS. ROSENBERG ARRESTED: Prior to Sobell's kidnaping and arrest, Ethel Rosenberg had been twice called before the federal grand jury. Questioned mainly about her and her husband's political beliefs, she refused answers on constitutional grounds and on Aug. 11, as she left the grand jury room, she too was placed under arrest.

On Aug. 17, the day before Sobell's arrest on the Mexican border, the first indictment in the case was handed down. It charged Ethel and Julius Rosenberg with having conspired to transmit atomic secrets to the Soviet Union. Indicted with them was Anatoli Yakovlev, departed Soviet consular official accused as recipient of the secrets. Named as co-conspirators but not as defendants were Harry Gold and David and Ruth Greenglass. Sobell was not mentioned.

The N.Y. Times noted:

This was the first time that the Government had brought Mrs. Greenglass into the case. . . . U.S. At-

torney Irving Saypol said the grand jury had directed that she not be prosecuted. Thus it was indicated that she was cooperating in the investigation and might turn Government witness.

KNOW-HOW AT WORK: The Times noted that the indictment listed eleven "overt acts," among them charges that on Nov. 15, 1944, the Rosenbergs conferred with Ruth Greenglass and five days after gave her \$500 to go to New Mexico to visit her husband. Another charged Rosenberg with visiting Mrs. Greenglass in N.Y. on Dec. 16, 1944, and receiving information from her.

These notations in the Times story of the first indictments indicate how the government's case began to shape up through FBI know-how.

As a first example, the charge against Rosenberg on July 17 when he was arrested dated his alleged activities from "early in 1945." The Aug. 17 indictment charged "overt acts" dating back to Nov. 15, 1944, to cover new allegations by Ruth Greenglass.

A NEW OVERT ACT: On Oct. 10, a new indictment was returned, naming David Greenglass as a defendant in N.Y. (he had already been indicted in New Mexico back in July) and also Sobell in addition to the Rosenbergs and Yakovlev.

On Oct. 19 Greenglass pleaded guilty to the N.Y. indictment and his attorney, O. John Rogge, volunteered the following for him:

"My client is not absolutely precise about every date mentioned in the indictment, but he is ready to give his statement of what transpired, as

he recalls the events." The third and final indictment was returned on Jan. 31, 1951, a few days before the trial was scheduled to get under way. This indictment (as noted again in the Times)

... extends the conspiracy to June 6, 1944. ... One overt act has been added. ... It charges Rosenberg with visiting 247 Delaware St., Washington (Eltcher's apartment), on June 4, 1944.

HOW IT GREW: This chronology, when co-related with U.S. Atty. Saypol's statements and with the testimony given in the courtroom, makes it apparent that:

- On July 17, Julius Rosenberg's arrest was warranted on no other basis than oral allegations about him made to the federal authorities by his in-laws, Ruth and David Greenglass.

- The arrest of Ethel Rosenberg on Aug. 11, and the indictment of Ethel and Julius on Aug. 17, were based entirely on the same oral unsupported allegations.

- The kidnaping and arrest of

Morton Sobell, on Aug. 18 were warranted by nothing except his suspected political beliefs and his being "over the border" when the FBI sought him out—as they did every one of Rosenberg's CCNY classmates and acquaintances.

- Sobell's indictment on Oct. 10 was based on his involvement by Max Elitcher, Sobell's former college room-mate and next-door neighbor, under threat of prosecution for perjury.

- The final indictment, on Jan. 31, 1951, contains the first indication of any incriminating allegations given to federal authorities about Julius Rosenberg by Elitcher.

JUSTICE: Thus the case against the Rosenbergs, which brought death sentences for them, was built entirely by the Greenglasses—both self-labeled spies—and by Elitcher, whose testimony saved him from a 5-year perjury rap and professional ruin.

THE ROSENBERGS TAKE THE STAND

ON Mar. 21, 1951, eight months after he was arrested on charges of spying for the U.S.S.R., Julius Rosenberg took the witness stand. During the eight months the American public had been bombarded with a well-nigh ceaseless propaganda barrage designed to convince them of the certain guilt of the 33-year-old Rosenberg and his 35-year-old wife, Ethel.

The Greenglasses' portrayal had Rosenberg being furnished by the Russians with unlimited financial resources to recruit other spies; to establish contacts with scientists in government agencies and key defense plants; to spend \$50-75 every night for entertaining; to subsidize the college education of likely espionage prospects; and to furnish his confederates with large sums of money to flee this

country and find eventual haven "behind the Iron Curtain."

As a token of their appreciation for his service, "the Russians," according to the Greenglasses, had given Rosenberg a citation which entitled him to special privileges; watches for himself and his wife; and a console table containing a hidden compartment for microfilming secret documents.

Notwithstanding the intrigue, mystery, excitement, drama and real-life whodunit qualities of the government's portrayal of Rosenberg, there was just one factor missing: not a shred of it could be supported by even a scintilla of evidence. Nor was any evidence offered even to try to support it.

If these headline-seeking allegations about Julius Rosenberg were indeed factual, it would seem that the government surely could have produced some evidence or testimony that:

- He was known to other members of the A-bomb spy ring.

- He had "important contacts" in defense plants and government agencies.

- He was a big spender in night clubs and restaurants.

- He consorted with Russian nationals.

- He had subsidized students' college education.

THE "RUSSIAN" TABLE: The government's avoidance of any attempt to prove its headline allegations was almost too crude. The console table, which ostensibly contained a secret compartment, was not even produced in court

(although an apparently normal table was impounded by the government when the Rosenbergs were arrested); instead, a photograph of a table was introduced in evidence that was "like" the one allegedly supplied "by the Russians." (The Rosenbergs said they bought theirs at a Macy's sale for \$21.)

Significantly, none of these headline allegations was included in the indictment on which the Rosenbergs were brought to trial.

The 12 "overt acts" charge that, as part of a conspiracy to transmit A-bomb and other secret information to the U.S.S.R.:

(1) In June, 1944, Julius visited the home of a classmate, Max Elitcher, in Washington, D.C.

(2) On Nov. 15, 1944, Julius and Ethel "conferred with Ruth Greenglass."

(3) On Nov. 26, 1944, Julius gave Ruth Greenglass a sum of money (2. Edgar Hoover's announcement said it was \$500; in court it became \$150.)

(4) On Nov. 20, 1944, Ruth Greenglass boarded a train for New Mexico.

(5) On Dec. 10, 1944, Julius visited the Greenglass apartment at 254 Stanton St., N. Y. C.

(6) On Dec. 10, 1944, Julius received from Ruth Greenglass a piece of paper containing written information.

(7) On Jan. 5, 1945, Julius and Ethel "conferred with" the Greenglasses.

(8) On Jan. 5, 1945, Julius gave Ruth Greenglass a torn half of a Jello box.

(9) On Jan. 10, 1945, Julius introduced David Greenglass to a man on First Avenue, N. Y. C.

(10) On Jan. 12, 1945, Julius "conferred with" David Greenglass.

(11) On Jan. 12, 1945, Julius received from David Greenglass a paper containing sketches of experiments conducted at the Los Alamos project.

(12) On Jan. 14, 1945, David Green-

glass boarded a train for New Mexico. Of these 12 "overt acts," Rosenberg, when he took the stand, denied four as outright falsehoods. He said he never gave Ruth Greenglass any sum of money, and never received any written information from her or any sketches from David Greenglass. He denied giving Ruth a torn half of a jello box or introducing David to "a man" on First Ave. This man, according to Greenglass' testimony, was "a Russian," whose name, dress and description Greenglass was unable to recall when pressed to do so by Rosenberg's attorney, Emanuel Bloch.

Rosenberg did not challenge the other "overt acts" listed in the indictment; he did, however, challenge and deny on oath the import of these acts as alleged by the uncorroborated testimony of witnesses whose accusations against the Rosenbergs saved their own hides.

CASUAL CLASSMATES: The meeting in Elitcher's home in Washington in June, 1944, the only testimony purporting to corroborate the Greenglass' portrayal of Rosenberg as a master spy who toured the country recruiting espionage prospects, defies credulity as it was described by Elitcher.

Here is how "master-spy" Julius Rosenberg proceeded to "recruit" his former classmate into his espionage net; according to Elitcher's sworn testimony:

"He came over after supper and my wife was there and we had a casual conversation. After that he asked if



MAX ELITCHER

The FBI put a squeeze on him

my wife would leave the room, that he wanted to speak to me in private. She did and then he said to me, he talked to me first about the job that the Soviet Union was doing in the war effort and how at present a good deal of military information was being denied them by some interests in the U.S. and because of that, their effort was being impeded."

"Then, according to Elitcher, Rosenberg asked him whether, in his job with the Navy's Ordnance Bureau, he had access to secret information and whether he would turn it over. (Elitcher said he neither accepted nor rejected the offer; but under cross-examination he admitted that he never turned over to Rosenberg any material, secret, classified, confidential or otherwise.)

Rosenberg's account of this meeting is considerably different. He said that when he was in Washington in 1940, while his

wife was working in the government's census bureau, he bumped into two former classmates, Morton Sobell and Max Elitcher, at a swimming pool. (Elitcher hadn't recalled this encounter.) Four years later, Rosenberg testified, he was sent to Washington on a Signal Corps assignment. After being in the city for three days, he became lonely and attempted to look up Sobell and Elitcher. He said Sobell's name was not listed in the Washington telephone directory, but Elitcher's was.

Rosenberg testified that, after he had been at the Elitchers' home for a short time, Mrs. Elitcher did leave the room. But, instead of being sent out by him so that he could make spy overtures to her husband (as Elitcher claimed), she left the two men alone for a mission as prosaic as washing the supper dishes. He saw Elitcher a year and a half later in Washington, and a third time in New York in 1948. He denied categorically any "spy" talk with Elitcher on any of these occasions; their encounters were no more than get-togethers of old classmates.

However, Rosenberg agreed readily that he had talked about the war effort, about the opening of the second front, about the Soviet Union's military and economic gains, and his freely-expressed view that the Russians had

... contributed a major share in destroying the Hitler beast who killed six million of my co-religionists, and I feel emotional about that thing."

The three meetings with the Greenglasses that are listed among

the "overt acts" as sinister implementations of a spy plot did indeed take place, Rosenberg testified. But, instead of the intriguing conversations that the Greenglasses ascribed to the meetings, Rosenberg said that one of them was at a family gathering when David first returned to New York on an army furlough; another occurred at his mother-in-law's, when he saw and talked to Ruth Greenglass after her return from a five-day visit to her husband in Nov. 1944; and the third was at the Rosenbergs' apartment, where the Greenglasses had been invited to dinner (similar invitations had been extended to David and Ruth by all the relatives who attended the family dinner welcoming the army sergeant home for furlough).

At these meetings, Rosenberg testified, he discussed nothing more sinister than their children, work, the progress of the war, and politics, in which Rosenberg voiced the opinion that the Soviet Union was still bearing the "heaviest load" of repelling the German Army, and that a second front should have been opened sooner.

What gives the clearest hint that the Rosenbergs are victims of a political frame-up is that the 12 "overt acts" listed in the indictment all occur during the six-month period preceding Julius' dismissal from his Signal Corps job on charges that he was a Communist Party member—a period during which he surely must have been under investigation.

Ethel Rosenberg, when she followed her husband on the stand, also "denied" categorically the Greenglasses' accusations purporting to link her to the espionage plot as Julius' assistant and moral supporter. The Greenglasses accused Ethel of typing up A-bomb notes which allegedly were given to Julius by David; writing letters to the Greenglasses when they were living in Albuquerque, N. M. (and allegedly giving them instructions for meeting a courier); and being present at several of the meetings which the Rosenbergs insisted were family or social gatherings. No letters, notes or any other corroboration of these accusations were produced.

"A FAIR AND IMPARTIAL TRIAL"?

WHEN TESTIMONY had been completed in the trial last March, and just before the summation and the judge's charge, attorney Alexander Bloch addressed Judge Irving Kaufman with the following motion:

"I move for a mistrial upon the ground that the frequent questioning by the Court . . . of witnesses, especially the defendants, had a tendency of unduly influencing the jury to the prejudice of the defendants and depriving them of their constitutional right to a fair and impartial trial."

Judge Kaufman indignantly brushed the motion aside and challenged the defense's sincerity in making it.

A selection of examples of what

Ethel Rosenberg testified that she did own a portable typewriter; that she earned her living as a typist before her marriage; that she corresponded with U. S. Greenglasses for her mother, "who doesn't write English very well"; that she did some volunteer typing for the ladies auxiliary of her husband's union, Federation of Architects, Engineers, Chemists and Technicians, CIO, and, during the war, for the Office of Civilian Defense. Apart from these typing activities, she admitted to typing nothing more "incriminating" than her husband's denial of the government's allegations in severing his employment on the charge he was a Communist.

the defense motion referred to follow. The reader should judge them while remembering that the case against the Rosenbergs as presented in the "overt acts" was clearly not sufficient to win a conviction unless the couple could be indelibly smeared before the jury as Communists and "Russia Firsters."

THE FACT THAT WASN'T: When the Government called its first witness, Max Elitcher, Judge Kaufman interrupted the prosecutor's direct examination of the witness to address the jury as follows:

"I want you to understand right at the outset that THE FACT THAT THEY [the defendants] WERE MEM-

BERS OF THE COMMUNIST PARTY [emphasis ours] does not establish the elements necessary to prove their guilt of the crime charged in this indictment, which is conspiracy to commit espionage. However I am admitting this testimony on the theory of motive, but the Government will have to establish that there is some connection between Communism and committing the offense charged in the indictment."

There had been no evidence up to this point that the Rosenbergs were Communists, yet the judge referred to this as a "fact." The only "fact" then in existence bearing on this point was Julius Rosenberg's denial of Communist affiliations in seeking to regain his Signal Corps job in 1945.

Thus Judge Kaufman, in the apparent act of counseling the jury on how to judge the evidence, committed the first act of implanting the defendants' "Communism" in the jury's minds.

ON THE HONOR OF BENTLEY: Later, when the Government brought Elizabeth Bentley to the stand to offer her now-familiar testimony that all Communists are spies for Moscow, the judge pointed out to the jury that this testimony was what he had referred to in his foregoing statement about the connection between Communism and espionage.

THE COURT: "I assume that this is the causal connection that we have been talking about between membership in the party and intending to give an advantage to a foreign government, to wit, the U. S. S. R. as charged in the indictment."

The judge then explained the import of Bentley's testimony to the jury, in a way which amount-

ed to little more than his earlier comment, spelled backwards:

THE COURT: "The purpose, for which this testimony was taken . . . is to show a link, as the Government contends, exists between aiding Russia . . . and being members of the Communist Party. . . ."

When it became the defense's turn, Judge Kaufman was openly antagonistic. At the beginning of his cross examination of the government's first witness, Atty. E. H. Bloch sought to question Elitcher about the circumstances that he, a government witness, was represented by the same lawyer, O. John Rogge, as two defendants in the indictment, David and Ruth Greenglass. Prosecutor Irving Saypol objected.

SAYPOL: "Will your honor let me state on the record my objections? I think the cross-examination is taking a turn which is wholly unfair to the prosecution. First there is an implication that the U. S. Government recommends lawyers and witnesses to defendants."

THE COURT (sustaining the objection): "Well, you had better be prepared, Mr. Saypol, for many, many more implications by the defense in this trial. . . ."

A basic defense contention was that the Greenglasses, to save their own necks, had implicated the Rosenbergs under FBI urging because of animosities which had grown up between the couple in 1949-50 over business differences. Greenglass admitted the differences but insisted he and Rosenberg had remained "good friends."

Q. (by E. H. Bloch): "Did you ever come to blows with Julius?"

A. (by David Greenglass): "No, I didn't."

Q: "Do you remember an incident when you were sitting in the corner candy store at Houston St. and Av. D

what your brother Beria had to separate the heads of you?"

A: "It slipped my mind."

THE COURT: "Subsequent to that, had you patched things up?"

A: "Certainly. We were very friendly after that."

The Greenglasses' testimony, in an effort to connect family gatherings with the Rosenbergs to the alleged spy plot, freely tossed off names of guests etc. as persons connected with Julius in espionage activity. (None of these persons was called as a witness or named in any indictment.) One such person, a neighbor of the Rosenbergs, was allegedly first pointed out to Greenglass by Rosenberg as a person who would contact him in New Mexico for information. Later they met socially but Greenglass could testify to no discussion of espionage matters. Rosenberg testified that the woman and her husband had been merely dinner guests at a homecoming for David Greenglass. Attorney Bloch questioned Rosen-

berg about the dinner party:

Q: "Did you ever have any discussion with Ann Bidorovich or her husband at any time with respect to getting any information relating to the national defense of this country?"

A: "I did not."

THE COURT: "Did you ever discuss with Ann Bidorovich the respective preferences of economic systems between Russia and the U.S.?"

Rosenberg replied that "in my normal social intercourse with my friends we discussed matters like that." Alty Bloch, to offset the implications of the judge's interruption, elicited from Rosenberg the statement that he would fight for this country in a war with any other country. Again Kaufman interrupted:

THE COURT: "Do you approve the communistic system of Russia over the capitalistic system of this country?"

DEATH FOR TYPISTS: The following prejudicial court tactics occurred at one of the most important junctures of the trial,



FBI CHIEF HOOVER AND ATTORNEY GENERAL McGRATH
They laid down the conditioning barrage

over the allegation that Ethel Rosenberg typed atomic information received by Julius from Greenglass:

Q: "Did your wife ever type up at your request any matter as a result of your having received any of that 15-page descriptive matter?"

A: "She did not type any such thing."

THE COURT: "Is your wife a typist?"

A: "Yes, she is."

THE COURT: "Do you have a typewriter at home?"

A: "That is right."

THE COURT: "Proceed."

Q: "Did you ever take any material that was ever transmitted to you by Dave or Ruth Greenglass and turn it over to the Russians or anybody else?"

A: "No. I did not."

THE COURT: "Did you know any Russians at that time?"

SHE SERVED JELLO: Ethel Rosenberg's examination was briefer and less involved than her husband's. But Judge Kaufman played no favorites:

Q: "Did you ever hear of any such thing as a Jello box being cut in two in order to be a means of identification of any embassy or agent to be sent by your husband out West in order to get information from the Los Alamos Project?"

A: "Outside of this courtroom, I never heard of any such thing."

THE COURT: "Incidentally, did you have any Jello boxes in your apartment?"

Saypol's badgering was hardly less tendentious than His Honor's. Thus, in cross-examining Julius Rosenberg:

Q: "Did you ever make any contribution to the Joint Anti-Fascist Refugee Committee?"

A: "Yes, I believe I did."

SAYPOL (turning to the jurors): "That is known to be an organization deemed subversive by the At-

torney General."

To the host of questions asked at him by the prosecutors in cross-examination about his political affiliations, Rosenberg refused to answer, claiming privilege under the 5th Amendment. This is what happened when attorney Bloch objected to this entire line of questioning:

BLOCH: "... This type of question goes to collateral matter. The charge here is espionage."

THE COURT: "... I wouldn't entertain this if I believed it was collateral. ... I believed that in view of the foundation which the Government has laid that it is relevant."

For Ethel Rosenberg, whose cross-examination by the prosecutor consisted almost entirely in attacking her exercise of privilege in refusing to answer questions before the grand jury before she was indicted, here is one of the questions which enabled Saypol and Judge Kaufman to send this mother of two small children to the Sing Sing death house:

Q: "A little while ago you said you did everything to help Davey, do you remember that?"

A: "Yes."

Q: "Did you help him join the Communist Party?"

DEATH HOUSE BANTER: Finally, when the prosecution produced a "surprise" witness under the guise of rebuttal—a photographer who testified that he had taken "passport photos" of the Rosenberg family (although he could produce no negatives of the pictures nor a record of the transaction)—attorney Bloch asked the witness:

Q: "Now there are some Saturdays

when you do, a rather rushing business."

A: "Not a rushing business."

A: "Well, a good business."

SAYPOL: "Did you say a 'Russian business' or a 'rushing business'?"

Judge Kaufman playfully admonished the U.S. Attorney not to try to be a Milton Berle and the jury chuckled, respectfully. There-

after, their sport exhausted, both judge and prosecutor sought spiritual guidance 'as they took pains to inform newsmen, who, with no exception, highlighted this in their accounts of the trial) and returned to Foley Square to send the objects of their banter to the Death House.

TOO CRUEL, TOO HORRIBLE

In sentencing Ethel and Julius Rosenberg to death in the electric chair on charges of entering into an atomic espionage conspiracy in 1944-45, Judge Irving Kaufman told the convicted defendants:

"Your crime is worse than murder. Plain, deliberate, contemplated murder is dwarfed in magnitude by comparison with the crime you have committed.

I believe your conduct in putting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the bomb has already caused the Communist aggression in Korea with the resultant casualties exceeding 50,000 Americans, and who knows but that millions more of innocent people may pay the price of your treason. Indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country. No one can say that we do not live in a constant state of tension. We have evidence of your treachery all around us every day—for the civilian defense activities throughout the nation are aimed at preparing us for an atom bomb attack.

In the light of the circumstances, I feel that I must pass such sentence upon the principals in this diabolical conspiracy to destroy a

God-fearing nation, which will demonstrate with finality that this nation's security must remain inviolate.

This was the rationalization for imposition by a civil court—for the first time in this country's history, either in peace or war—of the death sentence on a charge of espionage.

REFLECTING HYSTERIA: Calling the sentence "unjust," The Sentinel, American-Jewish national magazine in Chicago, said Kaufman "was carried away to an extent by the hysteria which has overtaken our country." The Jewish Daily Forward, which accepted without challenge the judge's statements as to the Rosenbergs' guilt, nevertheless found the sentence "too horrible" and "too cruel." It probably spoke for the whole Jewish community of America when it added that "every Jew feels the same way," but it is now apparent that a far vaster segment of America finds the sentence too cruel and horrible.

But even assuming that the Rosenbergs did participate in such a plot, the judge's statement justifying the death sentence falls apart factually when viewed against the historical facts; and the sentence itself becomes not only cruel and horrible but ridiculous and illegal to boot.

A STUDY IN CONTRASTS: Of the 12 "overt acts" charged against the Rosenbergs, the first occurred in June, 1944; the last in Jan. 1945. The savagery of the sentence, if it may in any conceivable way be justified, can be understood only in terms of the political climate six years after the commission of the "crime." Death for the crime the Rosenbergs allegedly committed is unthinkable had they been brought to trial at the time it allegedly was committed, when the U.S.S.R. was a war ally. But even for aiding an enemy in World War II, no individual was sentenced to death.

In the wartime spy case known as U.S. vs. Molzahn, four men who gave vital aircraft secrets to Germany in the fall of 1941 were let off with 5- to 15-year sentences. "Axis Sally" and "Tokyo Rose"—against each of whom was presented a mountain of evidence showing they had actively worked for an enemy in wartime, and against each of whom was absolutely proven treason, the greatest crime chargeable against a citizen in relation to his own government—were each sentenced to ten years' imprisonment. (With time off for good behavior, both will

be free before the Rosenberg appeals can be exhausted.)

Even in those cases where others had been convicted as alleged spies for the Soviet Union, the maximum penalty (only one case) meted out by U.S., British and Canadian courts has been 30 years, the minimum sentence six months.

JUDGE vs. COMMISSION: Further grounds for questioning the imposition of the death sentences were forthcoming from government itself—the Joint House-Senate Committee on Atomic Energy. Its 222-page report published last April, after the Rosenbergs had been sentenced to death, demolishes every point made by the prosecutor and the judge in regard to the death penalty.



DR. KLAUS EMIL JULIUS FUCHS

The real Julius?

In 1945 of scientists most closely associated with atomic development, such as Harold C. Urey, Oppenheimer, Huxley in England and others who pleaded with the public and the Allied governments to understand that there existed no basic atomic secrets. They warned then that atom bombs could be built by any nation, that the only protection against atomic war was international outlawing of atomic weapons and destruction of stockpiles.

Authoritative scientific publications also have repeated this same point of view. An editorial in the September, 1949 issue of *Atoms*, a monthly periodical dedicated to the presentation of scientific facts about all phases of atomic energy, offers one typical statement of the many hundreds that could be quoted. The editorial, prompted by President Truman's announcement in 1949 that the Soviets had exploded an atom bomb, declared:

"It should not be startling since it is only what every reputable scientist, knowing the principles of nuclear physics, has been predicting ever since we dropped the atomic bomb on Japan four years ago. SINCE THE DISCOVERY OF TRANSURANIC FISSION IN 1938 THERE HAS BEEN NO BASIC SECRET REGARDING AN ATOMIC BOMB. True, it was not until July 16, 1945, when the first experimental atomic bomb explosion took place at Alamogordo, that American scientists actually knew that an atomic bomb would work. ONLY DURING THE 21 DAYS BETWEEN THAT DATE AND AUGUST 6, 1945, WHEN THE ATOMIC BOMB WAS DROPPED ON HIROSHIMA, DID WE POSSESS THE SECRET OF THE ATOMIC BOMB. THIS SECRET WAS SIMPLY THAT

WE KNEW THE BOMB WOULD WORK. Scientists of other nations did not know it." (caps added)

VERDICT BY PASSION: Before the Rosenberg trial the government told the public it would produce as witnesses such top nuclear physicists as Oppenheimer and Urey, and wartime A-bomb project chief, Lieut. Gen. Leslie Groves. None of them came to testify. Was it because they might have admitted that no "atomic secret" ever existed at all?

Information possessed by the Atomic Energy Commission would seemingly bear this out. Last December, in the opening paragraph of a news story datelined Washington, D.C., the International News Service reported:

"The Atomic Energy Commission Friday bared secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1940, the year the United States began attempts to develop the missile."

Outside of lynch law there is probably no more appalling example in American memory of



JUDGE IRVING KAUFMAN

Did Divine Guidance say "Death"?

yielding to hysteria in the face of "putting into the hands of the of judicial tradition and his- Russians the A-bomb" and "caus- torical and scientific fact, than- ing the Communist aggression in Judge Kaufman's death sentence. Korea with the resultant casual- on Julius and Ethel Rosenberg for- ties exceeding 50,000 Americans."

UNFLINCHING IN FACE OF DEATH

(April 17, 1951)

My very own dearest husband:

I don't know when I've had such a time bringing myself to write you. My brain seems to have slowed to all but a complete halt under the weight of the myriad impressions that have been stamping themselves upon it minute upon minute, hour upon hour, since my removal here. I feel a sharp need to share all that burdens my mind and heart and so bring to naught, make invalid the bitter physical reality of our separation. . . .

The bars of my large, comfortable cell hold several books, the lovely, colorful cards (including your exquisite birthday greeting to me) that I accumulated at the House of Detention line the top ledge of my writing table to pleasure the eyes and brighten the spirit. The children's snapshots are taped onto a "picture frame" made of cardboard, and smile sweetly upon me whenever I so desire, and within me somewhere, I shall find that "courage, confidence and perspective" I shall need to see me through the days and nights of bottomless horror, of tortured screams I may not utter, of frenzied longing I must deny! Julie, dearest, how I wait upon the journey's end and our triumphant return to that precious life from which the foul monsters of our time have sought to drag us!

Ethel

(April 18, 1951)

Dearest Ethel:

I received your wonderful letter this afternoon. . . . If our lawyers do not succeed in

bringing you back to the Women's Reformatory House I will move heaven and earth to be sent to Sing Sing to be nearer you and to be able to see you whenever it is possible.

I beg you not to try to sway me from this decision as this is what I must do. Your single document is incredible proof that not only are you a tremendous person, but you have the courage, confidence and enlightened perspective to come through all this hell and then some. My wife, I stand humble beside you, proud of you and inspired by such a woman! . . .

In a couple of days the Passover holidays of our people's search for freedom will be here. This cultural heritage has added meaning to us who are locked away from each other and our loved ones by this modern Pharaoh. It has such meaning to us and our children. Yes, we are missing a lot but this, too, shall pass and we will have cause for greater celebration!

Always your very own, Julie

(Ethel to Atty. Emanuel Bloch)

. . . Now I have a special request to make of you. Please, when you see the Warden next, won't you please with him to allow me to have Michael's plant outside the cell where I can see it but not touch it? At the very least, couldn't I see it just once so that I can truthfully tell Michael what it looks like. . . . My God, what harm can there possibly be, what crime committed if I am allowed this one token of love from my darling children whom I have not seen for close to a year now! . . .

(Julius to Ethel—May 8)

Ethel, I was terribly shocked to read that Willie McGee was executed. . . . My heart is sad, my eyes are filled with tears. I must yell SHAME AMERICA! Shame on those who perpetrated this heinous act! Greater shame on those who did not lift their voices and hands to stop the Mississippi executioner. It seems to me that the federal courts have adopted the abominable medieval practice of the Southern Bourbons, legal lynching of Negroes—and are now attempting, as in our case, to apply this to political prisoners. Mark my words, dearest, the harsh sentence passed on us is part of the atomic hysteria designed to brutalize the minds of the people in order to make it easier for them to accept as a commonplace thing long prison terms and even death sentences for political prisoners.

In mid-May, Julius was also sent to the Death House and wrote this letter to Ethel after their first visit there.

Darling, I miss you so much and I am so concerned for your welfare and peace of mind. All during the lawyer consultation I couldn't take my eyes off you nor could I get myself to express the tender and deep love I feel for you, my precious.

I'm sure we'll make it, darling. With decency and justice we'll be delivered from this darkness to beautiful life and freedom. Goodnight, my wife.

(From Ethel to Julius' sister)

Oh, how indescribably bitter it is to be separated from one's children. Can the heart ache ever really be measured? I am a vessel filled to overflowing with so much sorrow, so much pain, it seems as though I shall never be quite free of these feelings again. Yet must I curb my longing, and bid myself be patient yet a while more. The thought of my sweet husband ever comforts and sustains me; I simply must not be found wanting.

(Ethel to Atty. Bloch)

I'd like to drop your dad [counsel Alexander Bloch—Ed.] a few lines but since I don't know if it would be permissible, I'd better just send my love through you. How is my adopted "Pop" anyway? Tell him his adopted "daughter" is as rebellious as ever; let him just come and see me and I'll give him a sample of the old lung power! Gosh, how I used to hawl him out during our consultations and how he'd plead with you to make me "stop yelling" at him! How far away it all seems; I can see him this minute, after the verdict, sitting there heart-broken, overcome, sick to the soul of him at all the rotten hypocrisy of the impartial judge and the impartial jury. His old eyes have beheld so many silly things. I'm hoping it's in the cards for him to behold our eventual victory!

The Rosenbergs' children, Michael, 8 and Robbie, 4, were placed in a shelter home following their parents' arrest. They were removed a year later after arrangements were made for them to live with Julius' mother. Here is Julius' first letter to them at their new home.

My Dearest Darling Boy Michael:

Wo, your parents, still can't come home as our appeal to the higher courts has not as yet been heard. Be patient, honey, as everything will turn out all right and we'll come home too, when all this is over. I see your maummy regularly and we talk about you two fellows. We look at your pictures and hug and kiss you with all our hearts. You are very dear and precious to us and I send you all my love. We'd like to hear from you as to all the things you do, see and hear.

I'm sure everything will work out all right because we are all working together from the start and we are doing a wonderful thing for all of us. We are well and glad to hear such good news about you. We will be home, you can bet on that.

Your own Daddy Julius

CONCLUSION

They were convicted by the atmosphere and not by the evidence.
—Felix Frankfurter, in *The Case of Sacco and Vanzetti*.

A FAIR-MINDED people can suffer their government to take the lives of citizens only on the most direct and incontrovertible evidence. The whole world now knows that Nicola Sacco and Bartolomeo Vanzetti were innocent of the crime for which the Commonwealth of Massachusetts put them to death in 1927, that they were framed on a holdup and murder charge because of their radical activities in the postwar hysteria of World War I.

The facts of the arrest, trial, conviction and sentencing of Julius and Ethel Rosenberg indicate that, at the very least, there is grave doubt of their complicity in any alleged atom-spy conspiracy whatsoever; and at the very worst, that they too, have been convicted on trumped-up evidence—not so much to silence their own, two small voices of political protest but rather to implant in the public mind with savage emphasis the belief that all holders of radical views are a menace to the nation, and to silence through mortal fear, all who may dare to hold views at variance with those of the administration of our country.

It was precisely for such a purpose as this that Herman Goering caused the Reichstag to be set afire in Nazi Germany in 1933, blaming it on the Communists. Of this now well-exposed plot, the noted British lawyer D. N. Pritt wrote:

Far more important for the German government than that the guilty incendiary should expiate his crime was the securing of a legal pronouncement in favor of the alleged complicity of their most feared and hated political opponents, the Communist Party of Germany.

The terror, the persecution and attempted political and economic annihilation of the Jews, the working class movement, and the progressive thinkers of Germany, thus received some shadow of apparent legal justification.

The Hearst press, gleeful over the death sentences meted out to Julius and Ethel Rosenberg, did not miss the implications of the case for progressive thinkers of America. "The importance of the trial cannot be minimized," said the N. Y. Journal-American. "Its findings disclosed in shuddering detail the Red cancer in the American body politic—a cancer which the Government is now forced to obliterate in self-defense.

"The sentences . . . indicate the scalpel which prosecutors henceforth can be expected to use in that operation."

Thinking Americans may not in good conscience permit the conviction of these two young American parents to stand without challenge. We must not countenance a Sacco-Vanzetti Case in our time, while we have voice and means and still an opportunity to prevent it.

AMICUS BRIEF* in the ROSENBERG CASE

WE BELIEVE that the trial of Julius and Ethel Rosenberg and Morton Sobell on a charge of conspiring to commit espionage, which resulted in death sentences for the Rosenbergs and a 30 year sentence for their co-defendant, lacked guarantees of fairness which all Americans have a right to expect under the Constitution.

WE BELIEVE that the Prosecutor and Trial Judge permitted fear and prejudice to dominate the trial by 1) attributing to the defendants social beliefs which are today the target of virtually every public tribunal, and 2) attributing to them reversals and casualties suffered in Korea.

WE BELIEVE that transient political and social passions have no place in our courts, that to deprive even one American of the right to a fair trial is to injure the rights of all Americans.

WE THEREFORE authorize the inclusion of our names in an Amicus Brief to the Supreme Court of the United States, petitioning that the verdicts and sentences be set aside, and that a new trial be ordered based on Constitutional guarantees of impartiality and fairness in accordance with the best traditions of American justice.

Name	Address	City	State

Please return to: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 5th Avenue, New York 1, N. Y., MU 5-2144.

Name of person returning this Amicus _____

Address _____ City and State _____ Organization _____

*Signers of an Amicus Brief act as friends of the court, petitioning because they believe an important principle is at stake.

• against nazis⁴ & politicians
demagogic speech
characteristic of a ^{as seen vomitted up} gutter mouthed racist society

~~Judge~~ ^{W. Hoffmann} ^{by} ^{so}
"Crawley" renegade in black robe

regenerated & semi-
fomented antenates
(whose name will be cursed & hated)

Read Letter from Jackson & Ellis

we ~~can~~
we pledge to work until
they are free to walk
among us.

Appeal for funds

23. missing

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306

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about furniture.
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to save his own neck.

"that one witnesses free claim a favorable
"rather talked like photographic record"

it was a massacre for $\text{E} \downarrow \text{N}$
it was a political trial.

fighting for you too!
you fight for us.

Mrs. Sobell present

other ^E ^{we are} ^{here to} ^{prevent} ^{two} ^{the} ^{goal to war}
Kalin " /

human sacrifices on the altar.
We intend to prevent this murder
"mercenaries" killer.

"We don't want ^{operation} appendix
father to start here in the U. S.
with the Koenigs"

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2
Megall using case to make
concentration camps
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agents - to rip apart C. I. testimony,

San Rhee not guilty beyond
reasonable doubt.

Injection of political issues
to confuse jurors - also by judge

Condemned judge's statement at sentencing
as indicating atmosphere in courtroom.

it was a reflection of the judge's
feelings during the trial

atom bomb } injected to
Soviet Union } confuse minds

Q. Early
special issues to be decided
by sociologists

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of motive

Law Defiant Commission - they
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65-15348
Joseph Brainin H/C 100-35178 (1.4.46)

William Bentley (Nat. Guardian)

1. entirely based on testimony by
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events - fabricated whole story

*sign by telegram
3/12/52*

HERE IS WHAT YOU CAN DO:

- WRITE to President Truman and Attorney General J. Howard McGrath asking that the government consent to a reversal of the Rosenberg conviction, thus allowing for a new trial or discontinuance of their prosecution.
- URGE your Senators and Congressman to make the foregoing request to the White House and the Department of Justice.
- DISTRIBUTE this pamphlet as widely as possible.
- SUPPORT the National Committee to Secure Justice in the Rosenberg Case.

National Committee to Secure Justice in the Rosenberg Case
246 Fifth Avenue, New York 1, N. Y.

Please enlist me in the National Committee to Secure Justice in the Rosenberg Case. Enclosed \$..... to help bring the facts of the case to a wider audience and to assure funds for legal needs. Please send me copies of all materials issued by the Committee. You may (may not) use my name in the Committee's work.

Please send me copies of this pamphlet for distribution.

Name

Address

City..... Zone..... State.....

To SECURE JUSTICE in the Rosenberg Case

By William A. Reuben

FOREWORD

WHEN the death sentence was passed on Julius and Ethel Rosenberg on April 18, 1951, for alleged atomic espionage for the Soviet Union, the American people were shocked and disturbed. There was widespread feeling that the unprecedented death sentence was savage. Never before in our history had a civil court imposed a death sentence for espionage, either in peace or war time.

The Rosenbergs have unswervingly asserted their innocence, have stated they are being victimized by the prosecution for their avowed political and social views, and have said, "We are victims of the grossest type of political frame-up known in America."

Most of the press assumed that justice had been done in the case. There were some exceptions, particularly the Jewish press, which expressed amazement at the cruelty of the death sentence.

But a full report of the case was not made available to the public until August, 1951, when the National Guardian began to publish a series of articles by William A. Reuben. His revelations have confirmed the fears of many who had doubted the guilt of the Rosenbergs and convinced many others who had not followed the case originally. As a result of this series, the National Committee to Secure Justice in the Rosenberg Case was formed. As one of its first acts, the Committee is bringing out herewith in slightly abridged form the series by Mr. Reuben.

We ask you to read it carefully—and judge for yourself.

**NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE**



ETHEL AND JULIUS ROSENBERG
Victims of a cold war Sacco-Vanzetti case?

MUST THEY DIE?

By William A. Reuben

M. Kuntz and Harold M. Phillips.

ON March 6, 1951, in a federal courtroom at Foley Square in New York City, this nation's first atom-bomb spy trial began, when the clerk-of-court solemnly intoned:

"The United States of America versus Julius Rosenberg, Ethel Rosenberg and Morton Sobell."

U.S. Atty. Irving Saypol announced that the government was ready.

Julius and Ethel Rosenberg were defended by Emanuel H. Bloch and his father, Alexander Bloch; Sobell was represented by Edward

Nearly 300 talesmen were questioned before a jury of 12 plus four alternates could be seated. It is singular that in a city more than 30% Jewish in population, not a single talesman of Jewish extraction survived the day and a half of questioning before a jury was seated.

TRIAL BY PRESS: The government announced it would call 118 witnesses. Among them were to be top nuclear physicists Dr. J. Robert Oppenheimer and Dr. Harold C. Urey and Lieut. Gen. Leslie Groves, head of the war-time atomic bomb project.

Understandable tenseness pervaded the courtroom," wrote Meyer Berger in the N.Y. Times. "The silence was extraordinary" as the trial got under way. To press and public, the question seemed to be not the guilt or innocence of the defendants; but whether or not they would be given the death penalty.

(Judge Kaufman himself, during questioning of one talisman, said it was for him alone to decide whether to impose death or a lesser penalty. The judge caught himself only after defense attorney Emanuel Bloch pointed out the jury's verdict might be for acquittal, making it unnecessary for the judge to impose any sentence at all.)

When the jury had been seated, U. S. Atty. Saypol opened in hushed tones, reading from a prepared statement. He described the defendants as "traitorous Americans" whose "love of communism and the Soviet Union" led them to deliver to the Russians

"... the one weapon that might well hold the key to the survival of this nation and the peace of the world—the atom bomb."

Saypol promised to show that the loyalty and allegiance of the Rosenbergs and their co-defendant Morton Sobell was not to America but to

"... communism in this country and communism throughout the world, under the dictatorship of the Soviet Union. . . I do not consider it necessary in this opening statement to deal extensively on the plot that will be unfolded before you. . . The testimony will come from witnesses who were there, who saw and heard what these defendants said

and did over a period of years to commit this crime."

CASE DEFLATES: Eight and a half court days later, the government rested its case (which it had announced beforehand would take three months to present). Of the 118 government witnesses originally announced, only 20 were produced. Oppenheimer, Urey and Groves were never called. Of the 20:

- Eight (including six imported from Mexico) testified as to details of the Sobell family's trip to Mexico, without in any way implicating either Sobell or the Rosenbergs in the crime charged against them.

- Two army colonels testified to security measures at the Los Alamos project during the war.

- A physicist employed as a liaison-man by the Atomic Energy Commission explained a sketch David Greenglass drew in court concerning some of the components of the atom bomb.

- Rosenberg's family doctor testified that Rosenberg had asked in behalf of a friend about incriminations necessary to enter Mexico.

- Ruth Greenglass' brother-in-law, Louis Abel, testified to hiding \$4,000 for David Greenglass and turning it over to his attorney, O. John Rogge, after Greenglass' arrest.

- Ruth's sister (Mrs. Abel) testified that Julius Rosenberg had once asked her to leave the room during a visit to her sister.

- One witness identified a pho-

tograph of Soviet consular aide Anatoli Yakovlev, named in the indictment as a defendant four years after he returned to the U.S.S.R. in Dec., 1946.

ENTER MISS BENTLEY: Of the remaining five witnesses, two were self-styled one time spy couriers—Elizabeth Bentley and Harry Gold. Neither had ever known or seen or been involved in any way with any of the defendants.

Gold gave lurid and surefire headline-creating testimony about how the spy ring operated. Miss Bentley, who now earns her livelihood as a paid government witness, said that membership in the Communist Party made it "implicit" to carry out orders from Moscow and that it

"... only served the interests of Moscow, whether it be propaganda, or espionage or sabotage."

These two introduced a mysterious "Julius," unknown to either of them, whose name recurred in telephone conversations and in a password used in the spy plot.

NECK-SAVERS FILL THE BILL: The remaining three witnesses were Max Elitcher and the Greenglasses. Despite the prosecution's promises of 118 witnesses and overwhelming evidence to corroborate the case against the Rosenbergs, only these three offered any testimony purporting to incriminate them. The Greenglass charges against Julius and Ethel Rosenberg, in-laws with whom they were on the outs, won David Greenglass a merciful, 15-year sentence (eight years with good behavior) instead of a possible

death sentence in New Mexico, where he had been indicted but never brought to trial; and won Ruth Greenglass complete freedom. Max Elitcher's "cooperation" with the FBI provided the government's entire case against Morton Sobell as well as "corroborating evidence" against Julius Rosenberg; and allowed Elitcher, an electrical engineer and former classmate of both Sobell and Rosenberg at the City College of New York, to escape a perjury charge hanging over his head that could have sent him to jail for five years and ruined him professionally and economically for life.

To backstop the self-saving testimony of these three, the government produced two exhibits purporting to incriminate the Rosenbergs: (1) a Spanish Refugee Appeal collection can found in the Rosenberg apartment; and (2) a nominating petition signed in 1941 by Ethel Rosenberg for Peter Cacchione, successful Communist candidate for New York City Council (50,000 New Yorkers signed this petition). These were the only government exhibits which were directly linked to the Rosenbergs. Yet, this is the "evidence" which U.S. Attorney Saypol had assured the jury

"... will prove to you, not only beyond a reasonable doubt, but beyond any doubt, that . . . these defendants have committed the most serious crime which can be committed against the people of this country."

Because of the flimsiness of the government's case, the absence of any convincing proofs, documentary or circumstantial, the impeachability of the three witnesses

on whom its case was based, the "the most serious crime" which has landed them in the Death House at Sing Sing prison have to do with committing espionage—or charges against Ethel and Julius Rosenberg. It must be asked: Does with harporing radical ideas?

THE JURY NEVER KNEW THIS...

THE most damning feature of the testimony of both Gold and Elisabeth Bentley—and, indeed, perhaps the most incriminating aspect of the government's entire case—was the introduction by them of a mysterious "Julius."

Gold testified that, in establishing contact with Greenglass in New Mexico, when he paid him \$500 after receiving information pertaining to atom bomb experiments going on at the secret Los Alamos Project, where Greenglass was stationed during the war, the code words he used were: "I come from Julius." Gold had in fact come from visiting Dr. Klaus Emil Julius Fuchs in Santa Fe.

Miss Bentley said that during 1942 and 1943 she received several telephone calls from a man whose voice she could not describe and whose identity she did not know, except that he was "someone who called himself Julius."

The government presented this evidence in the obvious expectation, which proved correct, that the jury would decide that this mysterious "Julius" was Julius Rosenberg.

But a startling fact, not introduced by the defense at the trial because it was not known to them, was contained in the New York Times of February 4, 1950. In reporting the arrest of the arch-conspirator of the "spy plot," Dr. Klaus Emil Julius Fuchs, the Times made this statement a full year before the "Julius" evidence was presented by the government in asking death for Julius Rosenberg:

"Dr. Fuchs, who is charged in London with unlawfully disclosing atomic secrets, was known to his friends here as 'Julius.'"

"DAVEY'S IN TROUBLE"

UNTIL they found themselves under arrest in the summer of 1950, charged with atomic spying, the story of the life of Ethel and Julius Rosenberg was probably very like that of thousands of young New York couples.

A few months after his graduation from C.C.N.Y. in 1939, Julius married Ethel Greenglass, a government secretary who had studied piano and voice. Ethel had a job as a clerk-typist with the Census Bureau in Washington and the couple went there to live for a short time. But Julius soon got a job as junior engineer with the U.S. Signal Corps in New York, and Ethel quit her Washington job to join him. They were very deeply in love.

After living with in-laws and in furnished rooms for a time, they found an apartment in Knickerbocker Village housing project in 1942. As soon as they were settled they had their first baby—a boy, now aged 8.

Julius lost track of his CCNY friends for the most part. He ran into two of them, Morton Sobell and Max Elitcher, at a swimming pool in Washington, D.C., when he was assigned to the Bureau of Standards in 1940. In 1944, on a Signal Corps assignment, he visited Elitcher again but couldn't locate Sobell this time. In 1945 he lost his Signal Corps job on charges of Communist Party affiliation (which he denied, but to no

effect). He then went to Washington again to see his Congressman to try and get a clearance; he again visited the Elitchers, rode around Washington with them trying to locate the Congressman and some union people, then went home.

When Julius lost his Signal Corps job he landed one with Emerson Radio at \$77 a week, but overtime provided a hike in pay over the government job. He was laid off toward the end of 1945. Thereupon he and one of Ethel's brothers went into the surplus business with another fellow. When Ethel's other brother, David Greenglass, got out of the Army in 1946, they took him into the partnership and changed the name to the G. & R. Engineering Co. In '47 they reorganized the firm, took a \$15,000 investor, David Schein, and became the Pitt Machine Products Co. Inc.

David Greenglass, the "baby" of the family, was a special favorite of his sister, Ethel. David's wife, Ruth, was friendly with the Rosenbergs too. When the couples got together, they talked about the war among other things, Julius being a staunch advocate of a second front. When David went off to an army camp, Ethel wrote the family letters to him for their mother, who couldn't write English well.

DAVID IN TROUBLE: One day

In 1945, while David was stationed in New Mexico, Ruth called Julius and asked him to visit her where she was living with her sister. She whispered to Julius to get her sister to leave the room, then told him she was worried about David. He had some idea of stealing something from the Army and selling it, she said. Julius told her to advise David to steer clear of that sort of thing and to stay out of trouble. Julius thought at the time it was some sort of black-market business, and told Ethel about it when he got home.

When David came back from service the two men never discussed this affair. Julius didn't know whether Ruth had told David about telling him of it. By



DAVID GREENGLASS

Saving his own skin?

then, of course, Julius knew that David had been assigned to the atomic project in Los Alamos as a machinist, but did not connect the two circumstances. As partners in the business, the personal relations of David and Julius worsened with its declining fortunes. The upshot was that in 1949 David pulled out as a partner and Julius agreed to pay him \$1,000 after some other obligations of the firm had been met.

From then on they were scarcely on speaking terms; the \$1,000 went unpaid; David and Ruth kept trying to collect it, but Julius didn't have it. (Finally the Greenglasses instructed their lawyer to bring suit for the money.) Once David even aimed a punch at Julius. After that the couples avoided one another except at family gatherings.

But then, in the middle of May, 1950, David came to the Pitt Machine Shop and told Julius he had to talk to him privately. The two men went across the street to Hamilton Fish Park. There in a very excited and agitated condition, David asked Julius for \$2,000. Julius told David he didn't have that kind of money and had no way of getting it. He pointed out further that he owed David only \$1,000. David then asked Julius to try to get him a certificate for a small-pox vaccination and to find out the type of injections needed to enter Mexico. Julius wondered if David was in some kind of trouble, but David refused to discuss his reasons for needing the money or the certificate.

"HELP DAVEY": During the talk David had become very agitated and that night Julius told Ethel about the incident. Both of them recalled the conversation in 1945 with Ruth Greenglass about David having ideas of stealing some things from the Army. They both remembered also David having mentioned casually that in February, shortly after Dr. Klaus Fuchs was arrested on spying charges, he (David) had been questioned by FBI agents. The Rosenbergs suspected that David was in trouble of some sort, but they thought it probably had to do with stealing gasoline or perhaps uranium from Los Alamos.

Mainly because of Ethel's saying, "Julie, we ought to try to help Davey," Julius on his regular trip to the doctor's for hay-fever shots a few nights later asked his doctor if it was possible to give a certificate of having had shots to someone who never had them. The doctor said that would be impos-

sible, and a few days later Julius went to the Greenglasses' apartment and told David what the doctor said. David told Julius to forget it, that he would take care of it himself.

"YOU'LL BE SORRY": During the first week of June, David telephoned Julius at work to say he must talk to him again. On his way to work next morning, Julius stopped off at the Greenglass apartment and then the two men went outside and walked toward East River Drive. During their walk, David again said that he had to have \$2,000 in cash and this time he asked Julius to borrow it for him, either from relatives or the business.

Julius again told David it was impossible to get the money. David became angry and threatened:

"Well, Julie, I've just got to have that money and if you don't get me that money you are going to be sorry."

THIS IS YOUR FBI

ON MAY 22, 1950, Ruth Greenglass left a N.Y. hospital where six days previously she had given birth to her second child. She returned with the baby to her ex-GI husband, David, at their apartment at 286 Stanton Street on the city's lower East Side.

Next morning, May 23, the newspapers headlined a story that brought consternation to the new parents: An alleged Soviet spy

courier named Harry Gold had been arrested in Philadelphia by the FBI in connection with an alleged spy ring centering around Dr. Klaus Emil Julius Fuchs, German-born British scientist stationed at Los Alamos during World War II.

AN OLD ACQUAINTANCE: Five years earlier, according to the trial testimony, on a Sunday morning the first week in June, 1945, this same Gold, whose pho-

topograph was, new on front pages throughout the country, had visited the apartment of 20-year-old Ruth and 23-year-old Sgt. David Greenglass in Albuquerque, N.M. He produced a torn half of a Jello box matching one that they had in their possession. Gold had first visited Dr. Klaus ("Julius") Fuchs at Santa Fe. He introduced himself to the Greenglasses with the passwords: "I come from Julius," and asked for certain written information pertaining to a secret lens mold used in the manufacture of the atom bomb. David Greenglass produced the requested material, handed it over to Gold and received \$500.

In February, 1950—three months before the papers announced Gold's arrest, and a few days after Fuchs' arrest in London—FBI agents had come to the Greenglass apartment in New York to question David about his duties and activities at Los Alamos. Ruth was present. The FBI made no move to arrest Greenglass at that time.

Four months later, on June 15, Greenglass was home preparing formula for their new child. Their three-year-old child was there, too. Ruth Greenglass had badly burned herself a few days earlier and was in a hospital for treatment. There was a knock on the door. The young father answered it. Four FBI agents walked in. They told him he was under arrest on charges of committing espionage for the Soviets during the war.

The FBI agents stayed in Greenglass' apartment for

5½ hours, until 7:30 that night. They questioned him and made a thorough search of the apartment. In going through a trunk of old letters and papers, one of the agents picked out a sheaf of mathematical notes, brought them over to Greenglass and said:

"What's this, some of your atom bomb secrets?"

"No," Greenglass replied. "That's just some of my brother-in-law's math notes from college."

This — according to the government testimony at the trial—is how Julius Rosenberg's name first came into the case.

THE HIDDEN \$4,000: David Greenglass was taken to FBI headquarters and questioned until the early hours of the next morning. Finally he was allowed to telephone another brother-in-law, Louis Abel, to whom he had previously given \$4,000 to hold for him. Greenglass asked Abel to retain O. John Rogge, one-time Asst. U.S. Attorney General under Tom Clark.

Later that morning, Abel went to the Rogge law firm and turned over the \$4,000. Rogge appeared at the arraignment that afternoon, protested his client's innocence and asked for lowered bail. In opposing Rogge's demands, U.S.

Attorney Irving Saypol demanded that Greenglass be held in \$100,000 bail and had him placed in solitary confinement.

That same day the FBI paid its first visit to Julius Rosenberg, whose college notes of 12 years earlier had been found in the Greenglass apartment. The FBI men said they wanted to talk to Julius about his brother-in-law, David Greenglass. Julius accompanied them to the Federal Bldg. in Foley Square, and for about three hours they asked him questions about David, pressing him for specific dates about David's visits to New York on furlough during the war.

Through them, Julius learned that David had been arrested the day before and had, they said, confessed to stealing atomic secrets for the Soviet Union. Then, after they had been asking him questions about David for three hours, one of the FBI men said, "Dave said you told him to supply information for Russia."

Rosenberg asked to be allowed to confront Greenglass to hear these "foolish accusations" from his own lips. The FBI agents ignored his request. Rosenberg then demanded and got permission to consult a lawyer. He telephoned his union's law firm. They asked whether he was under arrest. When Rosenberg said no, they told him to "put on your hat and walk out," which he did.

"SOMEBODY MORE IMPORTANT:" The same day, other FBI agents went to the hospital to question Ruth Greenglass. No

testimony on this interview was ever introduced. (The government put no FBI agents on the witness stand—an indication that they might have proven extremely vulnerable to defense questions dealing with the interrogations and "confessions" made by certain key witnesses.) But when Ruth Greenglass left the hospital two days later she had an immediate consultation in her home with attorney Rogge. She said that her husband had had dealings with Gold, that it was she who had deposited the \$500, and that she had been present the previous February throughout an FBI interview with her husband. She said:

"I thought the FBI was leading to somebody other than my husband, that they wanted somebody much more important than he."



RUTH GREENGLASS
She chose freedom

Rogge then "outlined the different courses that could be taken."

On July 6 in New Mexico, a federal grand jury handed down a four-count espionage indictment against David Greenglass. The charges against him, based on sworn information given to the grand jury by nine persons, including four FBI agents, were that "on about June 3, 1945, in Albuquerque" David Greenglass had:

- (1) Met and conferred with Harry Gold;
- (2) Received \$500 from Gold;
- (3) Prepared a sketch of a "high explosive lens mold";
- (4) Prepared a statement concerning the Los Alamos project.

The grand jury charged that Greenglass had delivered these atomic secrets to Gold and to Anatoli Yakovlev "for transmission to the U.S.S.R." For conviction on any one of these overt acts David Greenglass faced the death penalty.

"THE GENERAL SITUATION": The day following the indictment the federal commissioner in New York ordered Greenglass' immediate removal to New Mexico; but Rogge asked for a week's delay. A week later, on July 13, Rogge secured another postponement. U. S. Attorney Saypol approved the delay. He explained:

"I do not feel it appropriate to state publicly the substance of discussions which have been going on, but I acquiesce in this application for adjournment."

In its account of these proceedings, the N.Y. Daily Mirror reported:

The court appearance followed the latest of a series of conferences between Rogge and Saypol. Rogge said

he has been talking with both his client and Saypol and would like to have "several more talks with my client here before removal proceedings are held." His talks with the accused spy, he said, have been about "the general situation."

SAYPOL CONFERS: In mid-July, Ruth Greenglass, after her first interrogation by the FBI on June 16 and her initial consultation with Rogge, met with Saypol, members of his staff, FBI agents and her husband for three days in a row. The conference had been arranged by Rogge. These conferences with Ruth Greenglass culminated with her signing a statement in which she implicated the Rosenbergs.

On July 17 the FBI placed Julius Rosenberg under arrest, with an announcement, issued jointly from Washington by J. Edgar Hoover and J. Howard McGrath, charging him with having recruited his brother-in-law, David Greenglass, into a Russian spy ring "early in 1945."

FREE ON A "HUNCH": Thus, in one month, what started with an FBI agent's chance question about Julius Rosenberg's college math notes had been shaped up to provide a political sensation. In police parlance the "atomic plot" involved was a "closed case" before Rosenberg was brought into it. All the accused participants had confessed. The chief one, Dr. Klaus Emil Julius Fuchs, British-employed German scientist stationed at Los Alamos project during the war, was already serving time in England (and still works for the British government).

His motive, Fuchs said, was misdirected idealism. Three of his four alleged accomplices in America had no political idealism, only a cash motive; the fourth Harry Gold, was an anti-left-wing adventurer.

Thus the government was deprived of a political culprit in the plot; and the case was on the point of being quietly and unsensationally concluded when Julius Rosenberg was suddenly brought into it. For, in arresting Rosenberg, the government was able to stress the fact that in 1945 he was discharged from government em-

ploy on charges that he was a member of the Communist Party. Ruth Greenglass' hunch—that the "government" was seeking "somebody much more important" than the Greenglasses—proved right.

Today, as the Rosenbergs sit in the Death House at Sing Sing prison, parted from their two children, their accuser, Ruth Greenglass, a self-labeled spy, is free with her two children. Her husband, David, saved from trial for his life in New Mexico, will be free in eight years, with good behavior.

"EVIDENCE" AND HOW IT GREW

GEN. BURGOYNE: "... The sooner he is hanged, the better."

AIDE: "We have arranged it for 12 o'clock. Nothing remains to be done except to try him."

—Shaw's "Devil's Disciple"

In spite of the red-scare headlines resulting from the announcement of the Rosenbergs' arrest, the government still had to make a case against the Rosenbergs.

Scores of FBI agents were assigned to check on the friends, neighbors, business associates etc. of the young progressive couple. For Julius' college mates at CCNY there was a special going-over.

Among these were found two, both of whom were employed by the Reeves Instrument Co. in New York, who were made to measure

for FBI purposes. One, an electrical engineer named Max Elitcher, had failed to report Communist Party membership in applying for a government job, had eventually quit the job for fear this would be disclosed, and could still be prosecuted for perjury—meaning a possible five-year sentence and ruin. The other, who lived back-to-back with Elitcher in Queens, L.I., had recently (June 21, 1950) taken his family to Mexico for the summer. His name was Morton Sobell, and he was alleged to have once been a member of the Young Communist League.

The FBI first interviewed Elitcher on July 20, three days after Julius Rosenberg's sensationally publicized arrest. He was told they had information he was involved

in espionage. After several hours' questioning he asked to go home and consult his wife. The FBI went with him. Mrs. Elitcher was at home with her two children, a four-year-old and a new baby. Within 12 hours Elitcher had signed a statement implicating Julius Rosenberg. He then made a beeline for the law office of O. John Rogge who was already representing the Greenglasses.

The statement Elitcher signed for the FBI said that on two visits to his home in Washington during the war Rosenberg had asked him to spy for the U.S.S.R. but that he had never done so.

KIDNAPING PARTY: On Aug. 3, prosecutor Irving Saypol got a sealed warrant for the arrest of Sobell. It charged him with five "overt acts," all of which were identical: having "had conversa-



MORTON SOBELL
Sentenced to 30 years on no
evidence

tions" with Julius Rosenberg over a two and a half year period, at six month intervals. On Aug. 16 ten armed men broke into the Sobell apartment in Mexico City, blackjacked him, dumped him into one car of a five-car caravan and drove three days and nights until they reached the U.S. border. There, waiting FBI agents arrested Sobell and took him to New York where he was arraigned Aug. 25 and held in \$100,000 bail.

There was still no case against Sobell, except that the Sobells and the Rosenbergs had visited each other from time to time and Sobell had "fled" to Mexico. (There is no evidence that he was up to anything more incriminating than a vacation. The known facts: his home in Queens was not even subtlet; he and his family had booked air passage, rented their Mexico City apartment, in their own names in an apparently normal way.)

FUEL FOR THE BONFIRE: But there, too, Sobell's classmate and neighbor Elitcher came in handy for the FBI. Although in his first two statements (July 20 and 21) Elitcher did not mention Sobell, he finally signed a third statement in October, according to his own testimony, which quoted Rosenberg as saying: "Sobell is also in this."

(Sobell was indicted on Oct. 10, stood trial with the Rosenbergs, was found guilty and sentenced to 30 years in prison. No overt acts were charged against him, his conviction depended solely on Elitcher's testimony. Sobell's at-

torneys called no witnesses nor did Sobell testify in his own defense, in the belief that the jury would reject the unsupported testimony of Elitcher in the face of no government allegations of overt acts. His case, like that of the Rosenbergs, has been "appealed.")

Whether or not the government, in kidnaping and arresting Sobell, had any genuine expectation of convicting him, hauling him in helped add fuel to the red-spy bonfire being built up around the Rosenbergs.

MRS. ROSENBERG ARRESTED: Prior to Sobell's kidnaping and arrest, Ethel Rosenberg had been twice called before the federal grand jury. Questioned mainly about her and her husband's political beliefs, she refused answers on constitutional grounds and on Aug. 11, as she left the grand jury room, she too was placed under arrest.

On Aug. 17, the day before Sobell's arrest on the Mexican border, the first indictment in the case was handed down. It charged Ethel and Julius Rosenberg with having conspired to transmit atomic secrets to the Soviet Union. Indicted with them was Anatoli Yakovlev, departed Soviet consular official accused as recipient of the secrets. Named as co-conspirators but not as defendants were Harry Gold and David and Ruth Greenglass. Sobell was not mentioned.

The N. Y. Times noted:

This was the first time that the Government had brought Mrs. Greenglass into the case. . . . U.S. At-

torney Irving Saypol said the grand jury had directed that she not be prosecuted. Thus it was indicated that she "was cooperating in the investigation and might turn Government witness."

KNOW-HOW AT WORK: The Times noted that the indictment listed eleven "overt acts," among them charges that on Nov. 15, 1944, the Rosenbergs conferred with Ruth Greenglass and five days after gave her \$500 to go to New Mexico to visit her husband. Another charged Rosenberg with visiting Mrs. Greenglass in N. Y. on Dec. 10, 1944, and receiving information from her.

These notations in the Times story of the first indictments indicate how the government's case began to shape up through FBI know-how.

As a first example, the charge against Rosenberg on July 17 when he was arrested dated his alleged activities from "early in 1945." The Aug. 17 indictment charged "overt acts" dating back to Nov. 15, 1944, to cover new allegations by Ruth Greenglass.

A NEW OVERT ACT: On Oct. 10, a new indictment was returned, naming David Greenglass as a defendant in N. Y. (he had already been indicted in New Mexico back in July) and also Sobell in addition to the Rosenbergs and Yakovlev.

On Oct. 19 Greenglass pleaded guilty to the N. Y. indictment and his attorney, O. John Rogge, volunteered the following for him:

"My client is not absolutely precise about every date mentioned in the indictment, but he is ready to give his statement of what transpired, as

he recalls the events." The third and final indictment was returned on Jan. 31, 1951, a few days before the trial was scheduled to get under way. This indictment (as noted again in the Times)

... extends the conspiracy to June 6, 1944. ... One overt act has been added. ... It charges Rosenberg with visiting 247 Delaware Av., Washington (Eltcher's apartment), on June 4, 1944.

HOW IT GREW: This chronology, when co-related with U.S. Atty. Saypol's statements and with the testimony given in the courtroom, makes it apparent that:

- On July 17, Julius Rosenberg's arrest was warranted on no other basis than oral allegations about him made to the federal authorities by his in-laws, Ruth and David Greenglass.

- The arrest of Ethel Rosenberg on Aug. 11, and the indictment of Ethel and Julius on Aug. 17, were based entirely on the same oral unsupported allegations.

- The kidnapping and arrest of

Morton Sobell on Aug. 16 were warranted by nothing except his suspected political beliefs and his being "over the border" when the FBI sought him out—as they did every one of Rosenberg's CCNY classmates and acquaintances.

- Sobell's indictment on Oct. 10 was based on his involvement by Max Elitcher, Sobell's former college room-mate and next-door neighbor, under threat of prosecution for perjury.

- The final indictment, on Jan. 31, 1951, contains the first indication of any incriminating allegations given to federal authorities about Julius Rosenberg by Elitcher.

JUSTICE: Thus the case against the Rosenbergs, which brought death sentences for them, was built entirely by the Greenglasses—both self-labeled spies—and by Elitcher, whose testimony saved him from a 5-year perjury rap and professional ruin.

THE ROSENBERGS TAKE THE STAND

ON Mar. 21, 1951, eight months after he was arrested on charges of spying for the U.S.S.R., Julius Rosenberg took the witness stand. During the eight months the American public had been bombarded with a well-nigh ceaseless propaganda barrage designed to convince them of the certain guilt of the 33-year-old Rosenberg and his 35-year-old wife, Ethel.

The Greenglasses' portrayal had Rosenberg being furnished by the Russians with unlimited financial resources to recruit other spies; to establish contacts with scientists in government agencies and key defense plants; to spend \$50-75 every night for entertaining; to subsidize the college education of likely espionage prospects; and to furnish his confederates with large sums of money to flee this

country and find eventual haven "behind the Iron Curtain."

As a token of their appreciation for his service, "the Russians," according to the Greenglasses, had given Rosenberg a citation which entitled him to special privileges: watches for himself and his wife; and a console table containing a hidden compartment for microfilming secret documents.

Notwithstanding the intrigue, mystery, excitement, drama and real-life whodunit qualities of the government's portrayal of Rosenberg, there was just one factor missing: not a shred of it could be supported by even a scintilla of evidence. Nor was any evidence offered even to try to support it.

If these headline-seeking allegations about Julius Rosenberg were indeed factual, it would seem that the government surely could have produced some evidence or testimony that:

- He was known to other members of the A-bomb spy ring.

- He had "important contacts" in defense plants and government agencies.

- He was a big spender in night clubs and restaurants.

- He consorted with Russian nationals.

- He had subsidized students' college education.

THE "RUSSIAN" TABLE: The government's avoidance of any attempt to prove its headline allegations was almost too crude. The console table, which ostensibly contained a secret compartment, was not even produced in court

(although an apparently normal table was impounded by the government when the Rosenbergs were arrested); instead, a photograph of a table was introduced in evidence that was "like" the one allegedly supplied "by the Russians." (The Rosenbergs said they bought theirs at a Macy's sale for \$21.)

Significantly, none of these headline allegations was included in the indictment on which the Rosenbergs were brought to trial.

The 12 "overt acts" charge that, as part of a conspiracy to transmit A-bomb and other secret information to the U.S.S.R.:

(1) In June, 1944, Julius visited the home of a classmate, Max Elitcher, in Washington, D.C.

(2) On Nov. 15, 1944, Julius and Ethel "conferred with" Ruth Greenglass.

(3) On Nov. 20, 1944, Julius gave Ruth Greenglass a sum of money (\$2,500; in court it became \$130.)

(4) On Nov. 20, 1944, Ruth Greenglass boarded a train for New Mexico.

(5) On Dec. 10, 1944, Julius visited the Greenglass apartment at 206 Stanton St., N. Y. C.

(6) On Dec. 10, 1944, Julius received from Ruth Greenglass a piece of paper containing written information.

(7) On Jan. 5, 1945, Julius and Ethel "conferred with" the Greenglasses.

(8) On Jan. 5, 1945, Julius gave Ruth Greenglass a torn half of a Jello box.

(9) On Jan. 10, 1945, Julius introduced David Greenglass to a man on First Avenue, N. Y. C.

(10) On Jan. 12, 1945, Julius "conferred with" David Greenglass.

(11) On Jan. 12, 1945, Julius received from David Greenglass a paper containing sketches of experiments conducted at the Los Alamos project.

(12) On Jan. 14, 1945, David Green-

glass boarded a train for New Mexico. Of these 12 "overt acts," Rosenberg, when he took the stand, denied four as outright falsehoods. He said he never gave Ruth Greenglass any sum of money, and never received any written information from her or any sketches from David Greenglass. He denied giving Ruth a torn half of a jello box or introducing David to "a man" on First Ave. This man, according to Greenglass' testimony, was "a Russian," whose name, dress and description Greenglass was unable to recall when pressed to do so by Rosenberg's attorney, Emanuel Bloch.

Rosenberg did not challenge the other "overt acts" listed in the indictment; he did, however, challenge and deny on oath the import of these acts as alleged by the uncorroborated testimony of witnesses whose accusations against the Rosenbergs saved their own hides.

CASUAL CLASSMATES: The meeting in Elitcher's home in Washington in June, 1944, the only testimony purporting to corroborate the Greenglass' portrayal of Rosenberg as a master spy who toured the country recruiting espionage prospects, defies credulity as it was described by Elitcher.

Here is how "master-spy" Julius Rosenberg proceeded to "recruit" his former classmate into his espionage net; according to Elitcher's sworn testimony:

"He came over after supper and my wife was there and we had a casual conversation. After that he asked if



MAX ELITCHER

The FBI put a squeeze on him

my wife would leave the room, that he wanted to speak to me in private, she did and then he said to me, he talked to me first about the job that the Soviet Union was doing in the war effort and how at present a good deal of military information was being denied them by some interests in the U.S. and because of that, their effort was being impeded."

Then, according to Elitcher, Rosenberg asked him whether, in his job with the Navy's Ordnance Bureau, he had access to secret information and whether he would turn it over. (Elitcher said he neither accepted nor rejected the offer; but under cross-examination he admitted that he never turned over to Rosenberg any material, secret, classified, confidential or otherwise.)

Rosenberg's account of this meeting is considerably different. He said that when he was in Washington in 1940, while his

wife was working in the government's census bureau, he bumped into two former classmates, Morton Sobell and Max Elitcher, at a swimming pool. (Elitcher hadn't recalled this encounter.) Four years later, Rosenberg testified, he was sent to Washington on a Signal Corps assignment. After being in the city for three days, he became lonely and attempted to look up Sobell and Elitcher. He said Sobell's name was not listed in the Washington telephone directory, but Elitcher's was.

Rosenberg testified that, after he had been at the Elitchers' home for a short time, Mrs. Elitcher did leave the room. But, instead of being sent out by him so that he could make spy overtures to her husband (as Elitcher claimed), she left the two men alone for a mission as prosaic as washing the supper dishes. He saw Elitcher a year and a half later in Washington, and a third time in New York in 1948. He denied categorically any "spy" talk with Elitcher on any of these occasions; their encounters were no more than get-togethers of old classmates.

However, Rosenberg agreed readily that he had talked about the war effort, about the opening of the second front, about the Soviet Union's military and economic gains, and his freely-expressed view that the Russians had

contributed a major share in destroying the Hitler beast who killed six million of my co-religionists, and I feel emotional about that thing." The three meetings with the Greenglasses that are listed among

the "overt acts" as sinister implementations of a spy plot did indeed take place, Rosenberg testified. But, instead of the intriguing conversations that the Greenglasses ascribed to the meetings, Rosenberg said that one of them was at a family gathering when David first returned to New York on an army furlough; another occurred at his mother-in-law's, when he saw and talked to Ruth Greenglass after her return from a five-day visit to her husband in Nov. 1944; and the third was at the Rosenbergs' apartment, where the Greenglasses had been invited to dinner (similar invitations had been extended to David and Ruth by all the relatives who attended the family dinner welcoming the army sergeant home for furlough).

At these meetings, Rosenberg testified, he discussed nothing more sinister than their children, work, the progress of the war, and politics, in which Rosenberg voiced the opinion that the Soviet Union was still bearing the "heaviest load" of repelling the German Army, and that a second front should have been opened sooner.

What gives the clearest hint that the Rosenbergs are victims of a political frame-up is that the 12 "overt acts" listed in the indictment all occur during the six-month period preceding Julius' dismissal from his Signal Corps job on charges that he was a Communist Party member—a period during which he surely must have been under investigation.

Ethel Rosenberg, when she followed her husband on the stand, also "denied" categorically "the Greenglasses' accusations purporting to link her to the espionage plot as Julius' assistant and moral supporter. The Greenglasses accused Ethel of typing up A-bomb notes which allegedly were given to Julius by David; writing letters to the Greenglasses when they were living in Albuquerque, N.M. (and allegedly giving them instructions for meeting a courier); and being present at several of the meetings which the Rosenbergs' insisted were family or social gatherings. No letters, notes or any other corroboration of these accusations were produced.

"A FAIR AND IMPARTIAL TRIAL"?

WHEN TESTIMONY had been completed in the trial last March, and just before the summation and the judge's charge, attorney Alexander Bloch addressed Judge Irving Kaufman with the following motion:

"I move for a mistrial upon the ground that the frequent questioning by the Court . . . of witnesses, especially the defendants, had a tendency of unduly influencing the jury to the prejudice of the defendants and depriving them of their constitutional right to a fair and impartial trial."

Judge Kaufman indignantly brushed the motion aside and challenged the defense's sincerity in making it.

A selection of examples of what

Ethel Rosenberg testified that she did own a portable typewriter; that she earned her living as a typist before her marriage; that she corresponded with the Greenglasses for her mother, "who doesn't write English very well"; that she did some volunteer typing for the ladies auxiliary of her husband's union, Federation of Architects, Engineers, Chemists and Technicians, CIO, and, during the war, for the Office of Civilian Defense. Apart from these typing activities, she admitted to typing nothing more "incriminating" than her husband's denial of the government's allegations in severing his employment on the charge he was a Communist.

the defense motion referred to follow. The reader should judge them while remembering that the case against the Rosenbergs as presented in the "overt acts" was clearly not sufficient to win a conviction unless the couple could be indelibly smeared before the jury as Communists and "Russia Firsters."

THE FACT THAT WASN'T: When the Government called its first witness, Max Elitcher, Judge Kaufman interrupted the prosecutor's direct examination of the witness to address the jury as follows:

"I want you to understand right at the outset that THE FACT THAT THEY [the defendants] WERE MEM-

BERS OF THE COMMUNIST PARTY [emphasis ours] does not establish the elements necessary to prove the guilt of the crime charged in this indictment, which is conspiracy to commit espionage. However I am admitting this testimony on the theory of motive, but the Government will have to establish that there is some connection between Communism and committing the offense charged in the indictment."

There had been no evidence up to this point that the Rosenbergs were Communists, yet the judge referred to this as a "fact." The only "fact" then in existence bearing on this point was Julius Rosenberg's denial of Communist affiliations in seeking to regain his Signal Corps job in 1945.

Thus Judge Kaufman, in the apparent act of counseling the jury on how to judge the evidence, committed the first act of implanting the defendants' "Communism" in the jury's minds.

ON THE HONOR OF BENTLEY: Later, when the Government brought Elizabeth Bentley to the stand to offer her now-familiar testimony that all Communists are spies for Moscow, the judge pointed out to the jury that this testimony was what he had referred to in his foregoing statement about the connection between Communism and espionage.

THE COURT: "I assume that this is the causal connection that we have been talking about between membership in the party and intending to give an advantage to a foreign government, to wit, the U. S. S. R., as charged in the indictment."

The judge then explained the import of Bentley's testimony to the jury, in a way which amount-

ed to little more than his earlier comment, spelled backwards:

THE COURT: "The purpose, for which this testimony was taken . . . is to show a link, as the Government contends, exists between aiding Russia . . . and being members of the Communist Party."

When it became the defense's turn, Judge Kaufman was openly antagonistic. At the beginning of his cross examination of the government's first witness, Atty. E. H. Bloch sought to question Elitcher about the circumstances that he, a government witness, was represented by the same lawyer, O. John Rogge, as two defendants in the indictment, David and Ruth Greenglass. Prosecutor Irving Saypol objected.

SAYPOL: "Will your honor let me state on the record my objections? I think the cross-examination is taking a turn which is wholly unfair to the prosecution. First there is an implication that the U. S. Government recommends lawyers and witnesses to defendants."

THE COURT (sustaining the objection): "Well, you had better be prepared, Mr. Saypol, for many, many more implications by the defense in this trial."

A basic defense contention was that the Greenglasses, to save their own necks, had implicated the Rosenbergs under FBI urging because of animosities which had grown up between the couples in 1949-50 over business differences. Greenglass admitted the differences but insisted he and Rosenberg had remained "good friends."

Q. (by E. H. Bloch): "Did you ever come to blows with Julius?"

A. (by David Greenglass): "No, I didn't."

Q: "Do you remember an incident when you were sitting in the corner candy store at Houston St. and Av. D

What your brother Boris had to separate the both of you?"

A: "It slipped my mind."

THE COURT: "Subsequent to that, had you patched things up?"

A: "Certainly. We were very friendly after that."

The Greenglasses' testimony, in an effort to connect family gatherings with the Rosenbergs to the alleged spy plot, freely tossed off names of guests etc. as persons connected with Julius in espionage activity. (None of these persons was called as a witness or named in any indictment.) One such person, a neighbor of the Rosenbergs, was allegedly first pointed out to Greenglass by Rosenberg as a person who would contact him in New Mexico for information. Later they met socially but Greenglass could testify to no discussion of espionage matters. Rosenberg testified that the woman and her husband had been merely dinner guests at a homecoming for David Greenglass. Attorney Bloch questioned Rosen-

berg about the dinner party:

Q: "Did you ever have any discussion with Ann Sidorovich or her husband at any time with respect to getting any information relating to the national defense of this country?"

A: "I did not."

THE COURT: "Did you ever discuss with Ann Sidorovich the respective preferences of economic systems between Russia and the U.S.?"

Rosenberg replied that "in my normal social intercourse with my friends we discussed matters like that." Atty. Bloch, to offset the implications of the judge's interruption, elicited from Rosenberg the statement that he would fight for this country in a war with any other country. Again Kaufman interrupted:

THE COURT: "Do you approve the communistic system of Russia over the capitalistic system of this country?"

DEATH FOR TYPISTS: The following prejudicial court tactics occurred at one of the most important junctures of the trial,



FBI CHIEF HOOVER AND ATTORNEY GENERAL McGRATH
They laid down the conditioning barrage

over the allegation that Ethel Rosenberg typed atomic information received by Julius from Greenglass:

Q: "Did your wife ever type up at your request any matter as a result of your having received any of that 12-page descriptive matter?"

A: "She did not type any such thing."

THE COURT: "Is your wife a typist?"

A: "Yes, she is."

THE COURT: "Do you have a typewriter at home?"

A: "That is right."

THE COURT: "Proceed."

Q: "Did you ever take any material that was ever transmitted to you by Dave or Ruth Greenglass and turn it over to the Russians or anybody else?"

A: "No. I did not."

THE COURT: "Did you know any Russians at that time?"

SHE SERVED JELLO: Ethel Rosenberg's examination was briefer and less involved than her husband's. But Judge Kaufman played no favorites:

Q: "Did you ever hear of any such thing as a Jello box being cut in two in order to be a means of identification of any emissary or agent to be sent by your husband out West in order to get information from the Los Alamos Project?"

A: "Outside of this courtroom, I never heard of any such thing."

THE COURT: "Incidentally, did you have any Jello boxes in your apartment?"

Saypol's badgering was hardly less tendentious than His Honor's. Thus, in cross-examining Julius Rosenberg:

Q: "Did you ever make any contribution to the Joint Anti-Fascist Refugee Committee?"

A: "Yes, I believe I did."

SAYPOL (turning to the jurors):

"That is known to be an organization deemed subversive by the At-

torney General."

To the host of questions posed at him by the prosecutor in cross-examination about his political affiliations, Rosenberg refused to answer, claiming privilege under the 5th Amendment. This is what happened when attorney Bloch objected to this entire line of questioning:

BLOCH: "... This type of question goes to collateral matter. The charge here is espionage."

THE COURT: "... I wouldn't entertain this if I believed it was collateral. ... I believe that in view of the foundation which the Government has laid that it is relevant."

For Ethel Rosenberg, whose cross-examination by the prosecutor consisted almost entirely in attacking her exercise of privilege in refusing to answer questions before the grand jury before she was indicted, here is one of the questions which enabled Saypol and Judge Kaufman to send this mother of two small children to the Sing Sing death house:

Q: "A little while ago you said you did everything to help Dave, do you remember that?"

A: "Yes."

Q: "Did you help him join the Communist Party?"

DEATH HOUSE BANTER: Finally, when the prosecution produced a "surprise" witness under the guise of rebuttal—a photographer who testified that he had taken "passport photos" of the Rosenberg family (although he could produce no negatives of the pictures nor a record of the transaction)—attorney Bloch asked the witness:

Q: "Now there are some Saturdays

when you do, a rather rushing business?"

A: "Not a rushing business."

A: "Well, a good business?"

SAYPOL: "Did you say a 'Russian business' or a 'rushing business'?" Judge Kaufman playfully admonished the U.S. Attorney not to try to be a Milton Berle and the jury chuckled respectfully. There-

after, their sport exhausted, both judge and prosecutor sought spiritual guidance as they took pains to inform newsmen, who, with no exception, highlighted this in their accounts of the trial) and returned to Foley Square to send the objects of their banter to the Death House.

TOO CRUEL, TOO HORRIBLE

N. sentencing Ethel and Julius Rosenberg to death in the electric chair on charges of entering into an atomic espionage conspiracy in 1944-45, Judge Irving Kaufman told the convicted defendants:

"Your crime is worse than murder. Plain, deliberate, contemplated murder is dwarfed in magnitude by comparison with the crime you have committed.

"I believe your conduct in putting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the bomb has already caused the Communist aggression in Korea with the resultant casualties exceeding 50,000 Americans, and who knows but that millions more of innocent people may pay the price of your treason, indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country. No one can say that we do not live in a constant state of tension. We have evidence of your treachery all around us every day—for the civilian defense activities throughout the nation are aimed at preparing us for an atom bomb attack."

"In the light of the circumstances, I feel that I must pass such sentence upon the principals in this diabolical conspiracy to destroy a

God-fearing nation, which will demonstrate with finality that this nation's security must remain inviolate.

This was the rationalization for imposition by a civil court—for the first time in this country's history, either in peace or war—of the death sentence on a charge of espionage.

REFLECTING HYSTERIA: Calling the sentence "unjust," The Sentinel, American-Jewish national magazine in Chicago, said Kaufman "was carried away to an extent by the hysteria which has overtaken our country." The Jewish Daily Forward, which accepted without challenge the judge's statements as to the Rosenbergs' guilt, nevertheless found the sentence "too horrible" and "too cruel." It probably spoke for the whole Jewish community of America when it added that "every Jew feels the same way"; but it is now apparent that a far vaster segment of America finds the sentence too cruel and horrible.

But even assuming that the Rosenbergs did participate in such a plot, the judge's statement justifying the death sentence falls apart factually when viewed against the historical facts; and the sentence itself becomes not only cruel and horrible but ridiculous and illegal to boot.

A STUDY IN CONTRASTS: Of the 12 "overt acts" charged against the Rosenbergs, the first occurred in June, 1944; the last in Jan. 1945. The savagery of the sentence, if it may in any conceivable way be justified, can be understood only in terms of the political climate six years after the commission of the "crime." Death for the crime the Rosenbergs allegedly committed is unthinkable had they been brought to trial at the time it allegedly was committed, when the U.S.S.R. was a war ally. But even for aiding an enemy in World War II, no individual was sentenced to death.

In the wartime spy case known as U.S. vs. Molzahn, four men who gave vital aircraft secrets to Germany in the fall of 1941 were let off with 5- to 15-year sentences. "Axis Sally" and "Tokyo Rose"—against each of whom was presented a mountain of evidence showing they had actively worked for an enemy in wartime, and against each of whom was absolutely proven treason, the greatest crime chargeable against a citizen in relation to his own government—were each sentenced to ten years' imprisonment. (With time off for good behavior, both will

be free before the Rosenberg appeals can be exhausted.)

Even in those cases where others had been convicted as alleged spies for the Soviet Union, the maximum penalty (only one case) meted out by U.S., British and Canadian courts has been 30 years, the minimum sentence six months.

JUDGE vs. COMMISSION: Further grounds for questioning the imposition of the death sentence were forthcoming from government itself—the Joint House-Senate Committee on Atomic Energy. Its 222-page report published last April, after the Rosenbergs had been sentenced to death, demolishes every point made by the prosecutor and the judge in regard to the death penalty.



DR. KLAUS EMIL JULIUS FUCHS
The real Julius?

The commission's report, entitled, "Soviet Atomic Espionage," states its objective as "assessing the atomic-espionage damage inflicted upon the U.S." It cites four spies who, it says, did the most damage to U.S. defenses in this order: Dr. Klaus Fuchs, Dr. Allan Nunn May, Dr. Bruno Pontecorvo and David Greenglass.

WERE STIES NECESSARY? These four together, according to the report, "have advanced the Soviet atomic program by 18 months." Qualifying that judgment the report adds:

This is not to imply that Russia could never have broken the American atomic monopoly through her own unaided efforts.

Fuchs, the alleged master spy, the report claims, "may have set ahead the Soviet project by one year." Of David Greenglass, the report says:

The bomb sketches and explanations that Greenglass—as a virtual layman—could prepare must have counted for little compared with the authoritative scientific commentary upon atomic weapons that Fuchs transmitted. . . . Everything considered, Greenglass appears to have been the least effective of the four spies.

The Rosenbergs are mentioned only once, by way of recording their conviction.

Yet even taking the prosecution's unproven charges as valid, the Rosenbergs could have done no more than transmit the sketches of this "least effective" spy, which "must have counted for little."

WHAT A SPY NEEDS: Judge Kaufman, in justifying the un-

precedented death sentence, called Julius Rosenberg "the prime mover in this conspiracy." Ethel "his full fledged partner"; both of them the "principals in this diabolical conspiracy."

The committee's report cites a letter written by atomic scientist Karl Cohen of the H. K. Ferguson Co. to committee chairman Sen. Brian McMahon (D-Conn.) describing the attributes of an efficient spy:

Knowledge of the general scope of the work, access to detailed information, and an appreciation of its significance.

The Rosenbergs, clearly had no knowledge and no access to detailed information on atomic energy, and no training whatever that would have enabled either of them to appreciate its significance.

WAS THERE A SECRET? Moreover there is one basically significant aspect of the sentence of death imposed on the Rosenbergs. It deals with the kind of information supposedly given to the U.S.S.R., if their guilt be assumed.

In cases involving espionage the burden is on the prosecution, as our courts have held, to prove that information transmitted is "secret." When information already "has been made public property," there is no offense in transmitting it to a foreign power.

In a speech last January before the New York City Bar Assn., Dr. J. Robert Oppenheimer, foremost U.S. authority on atomic weapons—as reported in the N.Y. Times—

declared that there were no "unpublished" secrets concerning atomic



IRVING SAYPOL
The experts dissented.

weapons, and no "secret laws of nature" available to only a few.

WHERE WERE THE EXPERTS? Referring to testimony given by David Greenglass pertaining to the A-bomb sketches and notes he allegedly gave to the Rosenbergs for the U.S.S.R., Time magazine explained:

The spies on trial could not be convicted without proof that they had given real and vital secrets to the Russians.

Greenglass drew a sketch in court and gave a long oral description of the information he allegedly gave Rosenberg. Although the burden was on the government to prove the accuracy of the Greenglass sketch and description, a liaison man with the Atomic Energy Comm. was the only person produced by the government to testify that they to any "substantial degree" reflected the actual construction of the bomb.

This point of view found no acceptance from any informed quarter. Time commented that "some of his [Greenglass'] testimony made little scientific sense, and that Greenglass' bomb was not "up to date, complete or accurate," after pointing out: "the general principle of an atom bomb has been no secret."

"ILLOGICAL, UNWORKABLE": To the science editor of Life, "Greenglass' implosion bomb appears illogical, if not downright unworkable." Scientific American also refused to take seriously the contraption solemnly introduced by the prosecution through Greenglass. This authoritative publication's lengthy article on the Greenglass bomb began:

History's most elaborately guarded secret—how to make an atomic bomb—was casually let out of the bag in a courtroom last month. Or was it? The Scientific American article contained this biting—and highly revealing—comment:

What the newspapers failed to note was that without quantitative data and other necessary accompanying information the Greenglass bomb was not much of a secret.

Thus the sketch which the Rosenbergs were accused of sending to the U.S.S.R. was not only "illogical" and "unworkable" but it was "not much of a secret" according to the best authorities to judge the evidence in the case.

UNHEEDED WARNINGS: The contention of "secrecy" concerning atomic information has been the most assiduously-planted propaganda of the cold war. It runs directly counter to the testimony

In 1945 of scientists most closely associated with atomic development, such as Harold O. Urey, Oppenheimer, Huxley in England and others who pleaded with the public and the Allied governments to understand that there existed no basic atomic secrets. They warned then that atom bombs could be built by any nation, that the only protection against atomic war was international outlawing of atomic weapons and destruction of stockpiles.

Authoritative scientific publications also have repeated this same point of view. An editorial in the September, 1949 issue of *Atomies*, a monthly periodical dedicated to the presentation of scientific facts about all phases of atomic energy, offers one typical statement of the many hundreds that could be quoted. The editorial, prompted by President Truman's announcement in 1949 that the Soviets had exploded an atom bomb, declared:

"It should not be startling since it is only what every reputable scientist, knowing the principles of nuclear physics, has been predicting ever since we dropped the atomic bomb on Japan four years ago. SINCE THE DISCOVERY OF TRANSURANIC FINISH IN 1938 THERE HAS BEEN NO BASIC SECRET REGARDING AN ATOMIC BOMB. True, it was not until July 16, 1945, when the first experimental atomic bomb explosion took place at Alamogordo, that American scientists actually knew that an atomic bomb would work. ONLY DURING THE 21 DAYS BETWEEN THAT DATE AND AUGUST 6, 1945, WHEN THE ATOMIC BOMB WAS DROPPED ON HIROSHIMA, DID WE POSSESS THE SECRET OF THE ATOMIC BOMB. THIS SECRET WAS SIMPLY THAT

WE KNEW THE BOMB WOULD WORK. Scientists of other nations did not know it." (caps added)

VERDICT BY PASSION: Before the Rosenberg trial the government told the public it would produce as witnesses such top nuclear physicists as Oppenheimer and Urey, and wartime A-bomb project chief Lieut. Gen. Leslie Groves. None of them came to testify. Was it because they might have admitted that no "atomic secret" ever existed at all?

Information possessed by the Atomic Energy Commission would seemingly bear this out. Last December, in the opening paragraph of a news story datelined Washington, D.C., the *International News Service* reported:

"The Atomic Energy Commission Friday barred secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1944, the year the United States began attempts to develop the missile."

Outside of lynch law there is probably no more appalling example in American memory of



JUDGE IRVING KAUFMAN

Did Divine Guidance say "Death"?

"yielding to hysteria in the face of judicial tradition and historical and scientific fact, than Judge Kaufman's death sentence on Julius and Ethel Rosenberg for

"putting into the hands of the Russians the A-bomb" and "causing the Communist aggression in Korea with the resultant casualties exceeding 50,000 Americans."

UNFLINCHING IN FACE OF DEATH

(April 17, 1951)

My very own dearest husband:

I don't know when I've had such a time bringing myself to write you. My brain seems to have slowed to all but a complete halt under the weight of the myriad impressions that have been stamping themselves upon it minute upon minute, hour upon hour, since my removal here. I feel a sharp need to share all that burdens my mind and heart and so bring to naught, make invalid the bitter physical reality of our separation.

The bars of my large, comfortable cell hold several books, the lovely, colorful cards (including your exquisite birthday greeting to me) that I accumulated at the House of Detention line the top ledge of my writing table to pleasure the eye and brighten the spirit. The children's snapshots are taped onto a "picture frame" made of cardboard, and smile sweetly upon me whenever I so desire, and within me some where, I shall find that "courage, confidence and perspective" I shall need to see me through the days and nights of bottomless horror, of tortured screams I may not utter, of frenzied longing I must deny! Julie, dearest, how I wait upon the journey's end and our triumphant return to that precious life from which the foul monsters of our time have sought to drag us!

Ethel

(April 18, 1951)

Dearest Ethel:

I received your wonderful letter this afternoon. . . . If our lawyers do not succeed in

bringing you back to the Women's Detention House I will move heaven and earth to be sent to Sing Sing to be nearer you and to be able to see you whenever it is possible.

I beg you not to try to sway me from this decision as this is what I must do. Your single document is indelible proof that not only are you a tremendous person, but you have the courage, confidence and enlightened perspective to come through all this hell and there come. My wife, I stand humble beside you, proud of you and inspired by such a woman!

In a couple of days the Passover holidays of our people's search for freedom will be here. This cultural heritage has added meaning to us who are locked away from each other and our loved ones by this modern Pharaoh. It has such meaning to us and our children. Yes, we are missing a lot but this, too, shall pass and we will have cause for greater celebration!

Always your very own, Julie

(Ethel to Atty. Emanuel Bloch)

... Now I have a special request to make of you. Please, when you see the Warden next, won't you please with him to allow me to have Michael's plant outside the cell where can see it but not touch it? At the very least, couldn't I see it just once so that I can truthfully tell Michael what it looks like. . . . My God, what harm can there possibly be, what crime committed if I am allowed this one token of love from my darling children whom I have not seen for close to a year now! . . .

(Julius to Ethel—May 9)

Ethel, I was terribly shocked to read that Willie McGee was executed. . . . My heart is sad, my eyes are filled with tears. I must yell SHAME AMERICA! Shame on those who perpetrated this heinous act! Greater shame on those who did not lift their voices and hands to stop the Mississippi executioner. It seems to me that the federal courts have adopted the abominable medieval practice of the Southern Bourbons, legal lynching of Negroes—and are now attempting, as in our case, to apply this to political prisoners. Mark my words, dearest, the harsh sentence passed on us is part of the atomic hysteria designed to brutalize the minds of the people in order to make it easier for them to accept as a commonplace thing long prison terms and even death sentences for political prisoners. . . .

In mid-May, Julius was also sent to the Death House and wrote this letter to Ethel after their first visit there.

. . . Darling, I miss you so much and I am so concerned for your welfare and peace of mind. All during the lawyer consultation I couldn't take my eyes off you nor could I get myself to express the tender and deep love I feel for you, my precious.

I'm sure we'll make it, darling. With decency and justice we'll be delivered from this darkness to beautiful life and freedom. Goodnight, my wife.

(From Ethel to Julius' sister)

. . . Oh, how indescribably bitter it is to be separated from one's children. Can the heart-ache ever really be measured? I am a vessel filled to overflowing with so much sorrow, so much pain, it seems as though I shall never be quite free of these feelings again. Yet must I curb my longing, and bid myself be patient yet a while more. The thought of my sweet husband ever comforts and sustains me; I simply must not be found wanting.

(Ethel to Atty. Bloch)

. . . I'd like to drop your dad (counsel Alexander Bloch—Ed.) a few lines but since I don't know if it would be permissible, I'd better just send my love through you. How is my adopted "Pop" anyway? Tell him his adopted "daughter" is as rebellious as ever; let him just come and see me and I'll give him a sample of the old lung power! Gosh, how I used to bowl him out during our consultations and how he'd plead with you to make me "stop yelling" at him! How far away it all seems! I can see him this minute, after the verdict, sitting there heart-broken, overcome, sick to the soul of him at all the rotten hypocrisy of the impartial judge and the impartial jury. His old eyes have beheld so many slimy things, I'm hoping it's in the cards for him to behold our eventual victory!

The Rosenbergs' children, Michael, 8 and Robbie, 4, were placed in a shelter home following their parents' arrest. They were removed a year later after arrangements were made for them to live with Julius' mother. Here is Julius' first letter to them at their new home.

My Dearest Darling Boy Michael:

. . . We, your parents, still can't come home as our appeal to the higher courts has not as yet been heard. Be patient, honey, as everything will turn out all right and we'll come home too, when all this is over. I see your mummy regularly and we talk about you two fellows. We look at your pictures and hug and kiss you with all our hearts. You are very dear and precious to us and I send you all my love. We'd like to hear from you as to all the things you do, see and hear. . . .

I'm sure everything will work out all right because we are all working together from the start and we are doing a wonderful thing for all of us. We are well and glad to hear such good news about you. We will be home, you can bet on that.

Your own Daddy Julius

CONCLUSION

They were convicted by the atmosphere and not by the evidence.
—Felix Frankfurter, in *The Case of Sacco and Vanzetti*.

A FAIR-MINDED people can suffer their government to take the lives of citizens only on the most direct and incontrovertible evidence. The whole world now knows that Nicola Sacco and Bartolomeo Vanzetti were innocent of the crime for which the Commonwealth of Massachusetts put them to death in 1927, that they were framed on a holdup and murder charge because of their radical activities in the postwar hysteria of World War I.

The facts of the arrest, trial, conviction and sentencing of Julius and Ethel Rosenberg indicate that, at the very least, there is grave doubt of their complicity in any alleged atom-spy conspiracy whatsoever; and at the very worst, that they too, have been convicted on trumped-up evidence—not so much to silence their own, two small voices of political protest but rather to implant in the public mind with savage emphasis the belief that all holders of radical views are a menace to the nation, and to silence through mortal fear, all who may dare to hold views at variance with those of the administration of our country.

It was precisely for such a purpose as this that Herman Goering caused the Reichstag to be set afire in Nazi Germany in 1933, blaming it on the Communists. Of this now well-exposed plot, the noted British lawyer D. N. Pritt wrote:

Far more important for the German government than that the guilty incendiary should expiate his crime was the securing of a legal pronouncement in favor of the alleged complicity of their most feared and hated political opponents, the Communist Party of Germany. . . .

The terror, the persecution and attempted political and economic annihilation of the Jews, the working class movement, and the progressive thinkers of Germany, thus received some shadow of apparent legal justification.

The Hearst press, gleeful over the death sentences meted out to Julius and Ethel Rosenberg, did not miss the implications of the case for progressive thinkers of America. "The importance of the trial cannot be minimized," said the N. Y. Journal-American. "Its findings disclosed in shuddering detail the Red cancer in the American body politic—a cancer which the Government is now forced to obliterate in self-defense.

"The sentences . . . indicate the scalpel which prosecutors henceforth can be expected to use in that operation."

Thinking Americans may not in good conscience permit the conviction of these two young American parents to stand without challenge. We must not countenance a Sacco-Vanzetti Case in our time, while we have voice and courage and means and still an opportunity to prevent it.

FOR JUSTICE

WRITE to President Truman and Attorney General J. Howard McGrath. Tell them what you think. Ask that the government consent to a reversal of the Rosenberg conviction, thus permitting a new trial or discontinuance of their prosecution.

URGE your Senators and Congressmen to make the foregoing request to the White House and the Department of Justice.

WRITE the National Committee to Secure Justice in the Rosenberg Case for more information. We will send you our new 32-page pamphlet "TO SECURE JUSTICE IN THE ROSENBERG CASE," by William A. Reuben, which tells the whole story. Ask for as many as you can possibly circulate. Send us a financial contribution—big or little. We need help. Use the form below.

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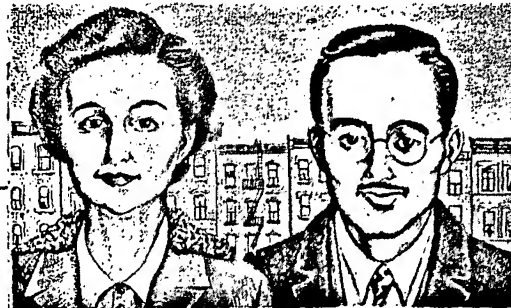
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THE ROSENBERG CASE

a fact sheet



Published by
THE NATIONAL COMMITTEE TO
SECURE JUSTICE IN THE
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246 Fifth Ave., New York 1, N. Y.

CONCLUSIONS

THE
DEATH
SENTENCE

THE DEATH
SENTENCE

AN ARGUMENT
FOR FOREIGN POLICY
INSTEAD OF EVIDENCE

POLITICS INSTEAD
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THE STAR
WITNESSES

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PROSECUTION'S
CASE

THE
INDICTMENT

On April 5, 1951, Julius Rosenberg and his wife Ethel were sentenced to die in the electric chair, having been convicted on a charge of conspiracy to spy on behalf of the Soviet Union.

The Rosenbergs have unwaveringly maintained their innocence from the day of their arrest. When Ethel Rosenberg was taken to the Sing Sing death house, she declared:

"We said and we say again that we are victims of the grossest type of political frame-up ever known in America."

On February 25, 1952, the U. S. Circuit Court of Appeals upheld the verdict and the sentences in a shocking decision that held, among other things, that persons could be considered disposed to commit espionage by virtue of their political or social views. The defendants' attorneys will appeal the case to the Supreme Court.

Thousands of people, among them many eminent public figures, do not believe the Rosenbergs guilty or that their trial was a fair one. Thousands more, who have grave doubts of their guilt, are horrified at the death sentence.

A number of these citizens have formed the National Committee to Secure Justice in the Rosenberg Case, and many times their number have contributed money and time to make new appeals possible and to bring the case, with its far-flung implications, to the public.

THE ROSENBERGS

Ethel and Julius Rosenberg, until their arrest, led the life of every-day people, struggling for a livelihood and education, and hoping that their two young sons, aged nine and four, would be spared the hardships familiar to the parents.

Julius Rosenberg, 34, was born and raised on the lower East Side of New York City. He attended public school and Seward Park High School as well as the Downtown Talmud Torah and Hebrew High School. He graduated from the City College of New York in 1939 with a Bachelor's Degree in Engineering.

Ethel Rosenberg, 36, graduated from Seward Park High School, and took courses in bookkeeping, stenography, typing, Hebrew, piano, guitar, and voice, and a course in child psychology at the New School for Social Research. They lived in an apartment on the lower East Side for which they paid approximately \$45 a month. Since their marriage they lived solely on Julius' \$70 a-week income as a government engineer, except for the past few years when they managed a meager living from the profits of a small machine shop business. Julius was an active member of his trade union. Ethel did volunteer work in community and civilian defense organizations.

THE INDICTMENT

The indictment charged the Rosenbergs with initiating a conspiracy during 1944, the last year of the war against nazism, to transmit information "relating to the national defense of the United States" to the Soviet Union.

The prosecutor however, went far beyond the indictment, charged that the Rosenbergs had given the Soviet Union the "secret" of the atom bomb, and attempted to create the impression that the Rosenbergs were "Communists," holding allegedly "subversive" views, and therefore disposed to commit espionage. He further attempted to impress the jury that a verdict of "innocent" would be tantamount to repudiation of our government's foreign policy.

THE PROSECUTION'S CASE

Before the trial the prosecutor announced that he would call 118 witnesses, among them top scientists Dr. J. Robert Oppenheimer, Dr. Harold C. Urey; Gen. Leslie R. Groves, head of the atom bomb project during the war; agents of the Federal Bureau of Investigation; alleged associates of the Rosenbergs in the "conspiracy"; and two "star" witnesses. All witnesses were supposed to give evidence of Rosenberg's alleged spy activities.

Of these 118, the prosecutor called only 20, among them none of the above named scientists or FBI agents. Of the 20, 8 merely gave details of a trip which Sobell took to Mexico, a trip which the prosecutor did not allege to be for espionage purposes; 2 testified that certain security measures were taken to conceal the nature of the atom bomb project; 1 was an engineer who interpreted a sketch manufactured for the court by David Greenglass, chief government witness; 1 was the Rosenberg family doctor who testified that Rosenberg had asked him questions pertaining to inoculations necessary for a trip to Mexico; 1 was a relative of Ruth Greenglass, who testified that David had given him \$4000 to hold for him; 1 was the sister of Ruth Greenglass who testified that she was once asked to leave the room by Julius Rosenberg on a visit to the Greenglass home; 1 was a witness who identified a photograph of Anatoli Yakovlev, a former Soviet consular aide named a co-defendant in the trial, and who had returned to his country in December 1946; 1 was Elizabeth Bentley, who testified that all Communists were spies, but had never met any of the defendants; 1 was Harry Gold, who testified in the same vein as Bentley, and admitted that he did not know the Rosenbergs. Of the remaining 3 witnesses, 1 said that Rosenberg had twice asked him to become a spy, but had declined each time. This witness, Max Elitcher, admitted that he faced a five year prison sentence for perjury, and that he "hoped for the best" as a result of his uncorroborated testimony. He is free today, never having been tried. The remaining two witnesses, David and Ruth Greenglass, were both, according to the prosecutor, and their own statements, involved in the alleged conspiracy, but as a result of their testimony, of which more later, Ruth was never brought to trial, and her husband got off with a 15 year sentence.

Thus it is clear that the government's entire case is based on the Greenglasses uncorroborated testimony. The prosecutor produced 32 exhibits as "documentary evidence." Not one of these documents, by the prosecutor's own admission, connected the Rosenbergs with a conspiracy to commit espionage. In fact, only two of the documents were at all related to the Rosenbergs. One was a collection can issued by the Spanish Refugee Appeal, the other was a nominating petition, signed by Ethel, for Peter V. Cacchione, a successful Communist candidate for the City Council of New York.

The prosecutor filled the overwhelming bulk of his case with persistent insinuations that the Rosenbergs were Communists, that U. S. monopoly of the atom bomb was important to world peace, and that war with the Soviet Union was virtually inevitable.

THE STAR WITNESSES

David Greenglass, brother of Ethel Rosenberg, and his wife Ruth, were the star witnesses against the Rosenbergs. Both admitted that they had committed espionage for which they received money and for which both could be given the death penalty.

David Greenglass was arrested in June and indicted in July 1950. He was held in \$100,000 bail, placed in solitary confinement, and visited for hours at a time by the FBI.

He and Ruth hired O. John Rogge, who himself later became a star government witness against the eminent Negro scholar Dr. W. E. B. DuBois in a case charging Dr. DuBois with being a foreign agent (the judge threw the case out of court). After extended negotiations by the Greenglasses, Rogge, Prosecutor Irving Saypol and agents of the Department of Justice, The FBI arrested Julius Rosenberg and later his wife Ethel solely on the basis of "information" given by the Greenglasses.

The Greenglass' uncorroborated testimony was the only evidence presented that the Rosenbergs had conspired to steal the atom-bomb secret. Their testimony in respect to the Rosenbergs was solely oral, and no documents or other proofs linking the Rosenbergs to espionage were introduced. No witnesses were called to substantiate any conversations on espionage that allegedly took place between the Greenglasses and the Rosenbergs. David Greenglass testified that relying solely on his memory of snatches of overheard conversation at the atom-bomb project at Los Alamos, and his remembrance of details of blueprints which had been shown to him as part of his work as a machinist, he had drawn up an elaborate sketch of the atom bomb, together with twelve pages of written material, which he allegedly conveyed as a description of the bomb to Rosenberg.

The following are Greenglass' actual qualifications for this impressive feat:

- 1) experience as an ordinary machinist in both army and civilian life;
- 2) a high school education, plus 8 technical courses at Brooklyn Polytechnic Institute, in all 8 of which he admitted he was graded "failure";
- 3) an admission that he was ignorant of various formulas governing component parts of the atom bomb, and that he had never taken courses or read books on such essential subjects as elementary, differential or advanced calculus, thermodynamics, quantum mechanics, nuclear or atomic physics. Not a single atomic scientist was called to support David Greenglass' testimony concerning the atom bomb or to confirm the authenticity of the "sketch" of the atom bomb he made for the trial. Instead, a then first lieutenant, John Derry, an aide to General Groves, whose job in the Army was mainly related to personnel, was called upon to testify that the manufactured sketch reflected to a "substantial degree" the principles of the atom bomb. Derry's sole "qualification" was a Bachelor of Engineering degree.

Had Dr. Harold C. Urey been called by the prosecutor, as the latter had announced he would do, Dr. Urey could have demolished Greenglass' testimony by repeating what he had said on March 3, 1946, during Congressional hearings on whether the atom bomb should be controlled by civilians or the Army. The N. Y. Times reports him as saying: "Detailed data on the atomic bomb, he declared, would require '80 to 90 volumes of close print' which only a scientist or engineer would be able to read Any spies capable of picking up this information," Dr. Urey added, 'will get information more rapidly by staying at home and working in their own laboratories.'"

Responsible periodicals and science editors commented as follows on Greenglass' testimony:

TIME MAGAZINE: "Some of his testimony made little scientific sense."

LIFE MAGAZINE'S Science Editor: "Greenglass' implosion bomb appears illogical, if not downright unworkable."

SCIENTIFIC AMERICAN: "History's most elaborately guarded secret—how to make an atomic bomb—was casually let out of the bag in a courtroom last month. Or was it?"

POLITICS INSTEAD OF EVIDENCE

The prosecutor set out to show that the defendants were Communists and that Communists are spies. This had nothing to do with either the indictment or proof that the Rosenbergs had conspired to commit espionage. The prosecutor said that the Rosenbergs had allegedly committed this crime because their loyalty was to "communism in this country and communism throughout the world." But he did not establish that the Rosenbergs were Communists. Instead, he showed:

- 1) the Rosenbergs had a Spanish Refugee appeal can in their home;
- 2) Ethel Rosenberg was one of 50,000 New York citizens who had signed a nominating petition in 1941 for Peter V. Cacchione, successful Communist Party candidate for New York City Councilman;
- 3) the Rosenbergs carried sick and death benefit insurance with the International Workers Order, a multi-national, inter-racial fraternal insurance society with 160,000 members in 18 states;
- 4) the Rosenbergs were both active members of their trade unions; Ethel in Local 65 of the Wholesale, Retail and Warehouse Workers Union; Julius in the Federation of Architects, Engineers and Technicians;
- 5) the Rosenbergs occasionally read the Daily Worker;
- 6) the Rosenbergs believed that the Soviet Union had borne the brunt of the war against Nazi Germany, and that it had done its share in wiping out the murderers of 6 million Jews;
- 7) the Rosenbergs had been pleased and lauded the United States and Great Britain for opening up a second front;
- 8) Julius Rosenberg had once been accused of being a Communist, for which he had been fired from the Signal Corps, although he had sworn that he was not a Communist.

AN ARGUMENT FOR FOREIGN POLICY INSTEAD OF EVIDENCE

The prosecutor argued that the atom bomb was "the one weapon that might well hold the key to the survival of this nation." He argued that the United States had made every effort to keep the principles of the atom bomb a secret, and insinuated that since the Soviet Union was by then known to have the bomb, the Rosenbergs must be guilty of having conspired to transmit its secret to that country.

Leaving aside the absurdity of this kind of "proof" against the Rosenbergs, all recognized authorities deny the possibility of atom-bomb monopoly and atom-bomb "secrets." This is what these authorities say:

ATOMICS, a monthly scientific magazine, September 1949: "Since the discovery of uranium fission in 1938 there has been no basic secret regarding an atomic bomb."

SMYTH REPORT, official report of the U. S. government on atomic energy development, published in 1945: "... the principles that have been used were well known to the international scientific world in 1940."

INTERNATIONAL NEWS SERVICE, December, 1950, in a story dated in Washington, D. C.: "The Atomic Energy Commission Friday bared secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1940, the year the United States began attempts to develop the missile."

DR. J. ROBERT OPPENHEIMER, in a speech in January, 1951, said, according to the N. Y. Times: "... that there were no 'unpublished' secrets concerning atomic weapons, and no 'secret laws of nature' available only to a few."

NEW YORK TIMES, Feb. 24, 1952: "The British development of an atom bomb confirmed what had been apparent when the Russians exploded their bomb in 1949—that the secret of the atom bomb was not a secret, that any nation with the resources could construct one, but only big and wealthy nations could afford this kind of armament."

THE DEATH SENTENCE

In imposing the death sentence against Ethel and Julius Rosenberg, Judge Irving Kaufman said that they had "altered the course of history to the disadvantage of our country ... we have evidence of your treachery around us every day ... I believe your conduct has already caused, in my opinion, the Communist aggression in Korea, with resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason."

From the Judge's comments, it appears that he sentenced the Rosenbergs to death for crimes with which they were not at all charged. They were neither accused of treason nor was any evidence brought in linking them in any way to the instigation of any war, past, present, or future. But the Judge's comments, and the death sentence, like the jury's verdict, is in line with the

prosecution's inability to bring in convincing proof that the Rosenbergs conspired to commit espionage, substituting, instead, inflammatory and reckless charges that had nothing to do with the case.

It is unthinkable that the same verdict and the same sentence would have been given had these wild accusations formed the basis of a "case" during the war years (when the USSR was our ally), when the alleged conspiracy was supposed to have taken place, or even in the first years following the end of the war.

Further, we can compare the sentences given to confessed or convicted traitors and saboteurs such as Axis Sally and Tokyo Rose, who got ten years each, and the famous Molzahn case in which four men who gave vital secrets to Germany in the Fall of 1941 were let off with 5 to 15 year sentences.

Finally, this is the first time in the history of our country that a civil court has imposed the death sentence for a charge of espionage. No person committing treason, the gravest of all crimes, has ever been executed.

THE TAIN OF ANTI-SEMITISM

Shortly after the trial was over the prosecutor, although Jewish, was severely reprimanded by a United States Court of Appeals for practicing anti-Semitism in another case. This grave charge is bolstered by the fact that the Rosenberg trial, in a city whose population is one-third Jewish, proceeded without a single Jewish juror due to challenges by the prosecution. Here are comments from the Jewish press:

THE DAY: "The death sentence imposed by Judge Kaufman left the feeling that precisely because he is a Jew did he go to an extreme and deal judgment with a heavy hand ... that Judge Kaufman is a Jew has perhaps unconsciously motivated him to issue a sentence which, in the opinion of many, is considered to be unjust and brutal."

DAILY FORWARD: "Too horrible ... every Jew feels the same way."

CHICAGO SENTINEL, an Anglo-Jewish paper, in a column on Feb. 7, 1952 by Rabbi G. George Fox, one of the most widely known Rabbis in the mid-west, an eminent scholar and author: "I am certain that Judge Kaufman's decision will be found unjust, if not illegal."

CONCLUSIONS

- 1) The Rosenbergs were convicted on unsubstantial and incredible evidence.
 - 2) The prosecution prejudiced and inflamed the jury by bringing in extraneous issues in every phase of the trial.
 - 3) The suspicion of anti-Semitism taints the entire trial.
- When it is borne in mind that Ethel and Julius Rosenberg were ordinary folk like the vast majority of us, that they were not leaders of any political or social or economic movements, it becomes clear that a new danger faces this vast majority, the danger that past or present or future views on social issues may become the basis for wild accusations, imprisonment, and even death. That is why it is in the interest of all Americans, regardless of their beliefs and creeds, to make certain that justice is done in the Rosenberg Case.

NATIONAL COMMITTEE TO SECURE JUSTICE IN THE

ROSENBERG CASE

246 Fifth Avenue, New York 1, N.Y.

Dear Friends:

More than a hundred prominent Americans, among them the Hon. Robert Morse Lovett, Dr. Katherine Dodd, Mrs. Bessie Mitchell, B. Z. Goldberg, Capt. Hugh N. Mulzac and others have joined with me in a world-wide appeal to bring about a reversal of the verdict and death sentence in the now-famous Rosenberg case.

I shall not repeat the information contained in the enclosed pamphlet. You will recall that its author, Mr. William Reuben, was the crusading journalist who first broke the celebrated Trenton Six Case, in which the lives of all and the freedom of four have already been won.

I wish only to call attention to what we believe to be some very alarming features of the case: the prosecution, with the judge's consent, attempted to prove that "communist" and "spy" are synonymous and deserving of death; the Rosenberg's political opinions and their activities in behalf of the Joint Anti-Fascist Refugee Committee was introduced as evidence of "guilty intent"; the young Rosenberg couple, parents of two small children, are the first and only persons ever sentenced to death in a U.S. civil court on a charge of espionage; a number of important newspapers among them the entire leading Yiddish press, were shocked by the death sentence and have asked whether anti-Semitism has not, in this case, found its ultimate and most deadly expression.

We are alarmed because if an individual's political views are proof of "guilty intent" to commit a crime punishable by death, then the lives of none are safe. We are alarmed that traitors to the United States like Axis Sally and Tokyo Rose are sentenced to ten years while a young mother of two children is sentenced to death. We are deeply troubled that this entirely unprecedented sentence was reserved for persons of Jewish faith. We believe that we are not overstating when we say that all minorities, native and foreign born, will find themselves in dire jeopardy as a result of this unique trial and punishment.

We who have joined together to secure justice in the Rosenberg case differ in our political, social, religious and economic views. But we are agreed that the circumstances under which Mr. and Mrs. Rosenberg, and their co-defendant Mr. Morton Sobell, were tried and sentenced establish an ominous precedent that may bring disgrace to our country, as the Dreyfus case brought shame to France.

We hope that after reading this pamphlet you will agree with us that you and your associates and the organizations and houses of worship to which you belong should take steps to repair this wrong.

We urge that you write to President Harry S. Truman, the Attorney General of the United States asking that the verdict be set aside and a new trial granted. We urge that you write to Judge Irving Kaufman, Federal Court House, New York City, asking that he reconsider his sentence.

As you may undoubtedly realize, this letter and the pamphlet have been made possible only by the voluntary contributions of thousands of persons from all parts of the country. We need additional funds for further printing, for advertisements, and for legal expenses in connection with an appeal to the higher courts. We would appreciate any contribution you might care to make.

Should you want additional copies of this pamphlet they are available at 5¢ each, 100 for \$4, 1000 for \$15. We would be happy to send you additional information, speakers where possible, and to cooperate with you in establishing local committees to publicize the Rosenberg case.

We look forward to hearing from you.

Yours very sincerely,

Joseph Brainin
JOSEPH BRAININ
Provisional Chairman

TRANSLATE ENTIRELY INTO JEWISH

A Jewish Mother
Writes From The
DEATH HOUSE

"We said, and say again, that we are the victims of the greatest type of political frame-up ever known in America."

-Ethel Rosenberg

Shen

SHOULD THE ROSENBERGS DIE?

Ethel and Julius Rosenberg, parents of two small children, are the only persons ever sentenced to death by a U.S. Civil Court for alleged espionage. Axis Sally, Tokyo Rose and other self-confessed traitors were spared their lives.

ARE THEY VICTIMS OF ANTI-SEMITISM?

Mordecai Danz, editor of the Day, in an article in that paper, April 12, 1951 wrote:

"There is a suspicion that the fact that Judge Kaufman is a Jew has perhaps unconsciously motivated him to issue a sentence which, in the opinion of many, is considered to be unjust and brutal."

H. Leivik, the poet, in the April 16th issue of the same newspaper, said:

"Precisely because Jewish accusers and a Jewish judge stood against accused Jews... the judge should have been free from the Jewish complex and should under no circumstances have passed the death sentence upon a mother of two children."

The "Forward" in an editorial on April 6, 1951 commented:

"When we editors get the news that Julius and Ethel Rosenberg were sentenced to death, a shudder passed through all of us... We are certain that every Jew who read the said news felt this way. From our hearts came the words, 'death sentence - too horrible!'"

Louis Harap in "Jewish Life", January 1952 wrote:

"It has been said that no anti-semitism intruded into the trial itself. But this is to overlook the fact that Irving Saypol, the Jewish Prosecutor, did not permit a single Jew, of the 300 jurors in the panel, to sit on the jury. This, in a city that is one third Jewish, is no accident."

ARE THEY INNOCENT?

William Reuben, noted journalist who exposed the injustice in the Trenton Six case, has written a comprehensive analysis of the case. This revealing study is now available in booklet form.

DO THIS TODAY!

1. Write for copies of William Reuben's booklet on the Rosenberg case.
2. Write or call for speakers to address your organization.
3. Write President Truman and Attorney General McGrath asking that justice be done in the Rosenberg case.
4. Send funds to the Committee for legal and publishing expenses.

① —
NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
246 - 5th Ave., N.Y.C., MU 5-2144

⑧ The Honorable Robert Morris Lovett, Dr. Herbert Aptheker, the
Reverend Spencer Kennard, B.Z. Goldberg, Dr. Katherine Dodd, Mrs.
Bessie Mitchell, Captain H. N. Mulzac, and 125 other sponsors
from every part of the world.

Provisional Chairman: Joseph Brainin

RESPOND TODAY * TIME RUNS SHORT FOR ETHEL & JULIUS ROSENBERG!!!

National Committee to Secure Justice
in the Rosenberg Case
246 Fifth Avenue, N.Y.C.

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STATEMENT
by the
NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE

Grave doubt exists as to the guilt of Ethel and Julius Rosenberg, who, in April, 1951, were sentenced to die in the electric chair on charges of espionage. The Rosenbergs, young parents of two small children, had pleaded innocent of all charges. Their appeal is now pending in the U.S. Court of Appeals - Second Circuit.

The Government's case against the Rosenbergs rests almost exclusively on the testimony of David Greenglass and his wife Ruth, who, according to their own statements, had committed espionage. By testifying against the Rosenbergs, David Greenglass escaped the death penalty and will be eligible for parole in eight years; Ruth Greenglass was never indicted and is free today.

It is a relevant fact, as revealed by the trial record of the case, that the alleged political opinions of Ethel and Julius Rosenberg were a major element in the case. Fear that the Rosenbergs were also victims of religious bigotry was expressed, immediately following the trial, by the leading Jewish press and by other newspapers in this country.

The severity of their sentence is unprecedented. A sentence of death rests, presumably, upon establishing guilt beyond reasonable doubt. Yet even in cases where no doubt existed as to the guilt of the accused, such as "Axis Sally" and "Tokyo Rose", sentences of only ten years were imposed.

In the Rosenberg case, the future of two young children, as well as the lives of their parents, are at stake. But beyond the fate of this family is the right of all people in this country to freedom of thought. This is another reason why we feel constrained to bring further light upon this extraordinary case. Can any of us, whatever our occupations or beliefs, continue to function if the holding of unpopular opinions should make us liable to unjust prosecution and even to the threat of death?

If you feel, as we do, that justice has yet to be satisfied in the case of the Rosenbergs, you can help in three ways:--

1. Join the National Committee to Secure Justice in the Rosenberg Case.
2. Write us for further information, additional copies of this statement and other material on the case.
3. Contribute financially so that we can bring the facts in this case before our fellow citizens, and to assure funds for necessary legal expenses.

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ROSENBERG CASE

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Yours very sincerely,

Joseph Brainin
JOSEPH BRAININ
Provisional Chairman

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Almon,
Executive Secretary

P R E S S R E L E A S E

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Room 441
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ROSENBERGS CALL APPEALS COURT DECISION 'POLITICAL'

PRIZE WINNING NOVELIST WARNS AGAINST SPILLING "BLOOD
OF THE INNOCENT"

Calling the U.S. Appeals Court's decision up-
holding the verdicts and death sentences a product of
"high political hysteria", Julius and Ethel Rosenberg,
now in Sing Sing's death house, said they share the
faith of thousands of Americans "that the truth will be
known before it is too late," it was announced today by
the Nat'l Committee to Secure Justice in the Rosenberg
case.

The Committee also revealed that Nelson Algren,
winner of the National Bookseller's Award for his Man
With The Golden Arm, has said that execution of the
Rosenbergs would be taking "the blood of the innocent."

"I should like to state," Mr. Algren said,
"that this whole business is straight out of Cotton
Mather - the execution of a decent man and woman for
non-conformity: no evidence of guilt beyond that has
yet been established...Exactly as though, as a nation,
our conscience is so troubled that we hope to gain peace
of mind by offering the blood of the innocent. It is
nothing less than medieval."

(more)

NATIONAL COMMITTEE TO SECURE JUSTICE IN ROSENBERG CASE

Page 2. 3/3/52

Mr. and Mrs. Rosenberg's statement follows:

"Upholding the verdict and death sentences against us does not alter the fact that we are innocent of any crime.

"The death sentence itself is proof of the high political hysteria in which we were tried.

"Now the Appeals Court, swayed by the passions of the moment, tries to make the verdict and sentence acceptable to the public mind by 'finding' what was never 'found' at our trial, that we were 'Communists'.

"We can't help but fear for the lives of millions of Americans, parents like ourselves, who by the simple process of being labelled 'Communist', can be made to face what we face today - and for as little reason.

"We are innocent. We know that thousands of Americans, and their number is growing, believe in our innocence. They are working for our vindication. We share their faith that the truth will be known before it is too late."

A large public rally on the Rosenberg Case will be held on March 12, at Pythian Hall, 135 W 70 St., NYC, at 8 PM, at which men and women prominent in American life will give their views on the case.

REFER TO THIS BILL NO.

7556

Daily Worker-The Worker

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in the Rosenberg Case
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RECEIPT NO. **M 62351**

TO: THE PRESS
FROM: THE COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
17 Murray Street, New York, N.Y.
William Reuben, Chairman
RE: BRIEF FOR THE APPEAL OF JULIUS AND ETHEL ROSENBERG FILED IN U.S.COURT OF
APPEALS, SECOND CIRCUIT.

Monday, November 5, 1951

The brief for the appeal of Julius and Ethel Rosenberg, convicted in March, 1951 for the crime of espionage, was filed today by Emanuel Bloch, 270 Broadway, attorney for the Rosenbergs, in the Circuit Court of Appeals, Second Circuit.

The basis for the appeal encompasses the following points:

1. The sentence constitutes 'cruel and unusual' punishment in violation of the Eighth Amendment to the Constitution.

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, FOR THE COMMITTEE
Chairman
David Almon,
Executive Secretary

March 13, 1952

246 Fifth Avenue
Room 441
New York 1, N. Y.
Murray Hill 5-2144

More than two thousand New Yorkers last night jammed to overflowing a public meeting at the Lythian Hall, 135 West 70 Street, to protest the conviction and death-sentence of Ethel and Julius Rosenberg, young Jewish couple convicted of "conspiracy to commit espionage".

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Dr. Leonard Tushnet

Because of the size of the crowd, hundreds left their seats at ten o'clock to allow others turned away an opportunity to attend.

The meeting was the first large public assemblage in New York City on this case. The cheering audience enthusiastically adopted a resolution calling on President Truman and attorney-General McGrath not to contest the defense's appeal for a reversal of the verdict and a new trial, when the case is brought before the U.S. Supreme Court.

The resolution declared, in part: "It is unthinkable that these parents, their families and children should suffer an irrevocable tragedy because of the high political and social passions which are so widespread today."

Speaker after speaker joined in pointing to the strong likelihood of the innocence of the Rosenbergs and their co-defendant Morton Sobell, as well as to the unprecedented political nature of the trial and verdict, and the implications of anti-Semitism.

Harry Van Tleeck, prominent sociologist, told the audience:

"The sentence of death imposed upon Ethel and Julius Rosenberg is a cruel revelation of breakdown in the hard-won safeguards of the American system of justice, through the injection into the trial of distorted and hysterical political prejudice... That the price of non-compliance should be death is, indeed, too horrible and too cruel to contemplate or to accept in our nation.

William L. Patterson, internationally-known Negro leader and National Executive Secretary of the Civil Rights Congress, pointed out that genocidal terror against Negroes has now led to the imposition of the death-sentence upon an innocent young Jewish couple, and to the consequent dangers of growing anti-semitism. He stated that the only firm guarantee of a return to the Bill of Rights and democratic principles lay in the unity of Negro and white Americans, struggling to end practices of death and discrimination because of political beliefs or color.

(more)

Ethel and Julius Rosenberg, in a statement issued from the death house, reasserted their absolute innocence.

"We are an ordinary man and wife," their statement read, "and it is inevitable that ordinary people would be grievously persecuted by the history of the past few years. Like others, we spoke for peace because we did not want our two little sons to live in the shadow of war and death. Like others we spoke for the liberty of our fellow citizens because we believe, and want our children to believe in the fine democratic traditions of our country. That is why we are in the death-house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speak for peace and democracy."

They added, to their families: "Take hope. You are sitting in the midst of good honest people. They will do everything in their power to bring us together again and to make this a better and happier world."

Other speakers at the rally included S. C. Goldberg, veteran Jewish journalist; Rev. Spencer Kennard, Biblical scholar and author; Albert Kahn, well-known journalist and writer, author of the best-seller "Sabotage"; William Reuben, crusading journalist, who first "broke" the Rosenberg case in a series of published articles; Helen Sobell, wife of co-defendant Morton Sobell; and Joseph Brainin, Anglo-Jewish journalist, and Chairman of the National Committee to Secure Justice in the Rosenberg Case.

Lines denouncing the conviction and death sentence imposed upon the young Jewish couple were read from the Women's International Democratic Federation, representing 90 million women in 62 countries; the Civil Liberties Committee of Puerto Rico; the National Executive League for Democratic Rights, in Canada; the Congress of Canadian Women; the Canadian National Federation of Labor Youth; the Fur Dressers and Dyers Union in New York, and many more.

The Committee announced that it has pamphlets, petitions and leaflets dealing with the Rosenberg Case, available for distribution. It was also announced that large public protest meetings were recently held in Chicago and other cities, and that many others are planned in all parts of the country. Local committees are now functioning in Los Angeles, Baltimore, Washington, D. C., Richmond, Va., Chicago, Ill., and elsewhere.

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Alman,
Executive Secretary

P R E S S R E L E A S E

246 Fifth Avenue
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MARCH 13, 1952

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OVERFLOW ROSENBERG MEETING ASKS PRESIDENT CONSENT TO
NEW TRIAL. ENDORSES AMICUS TO SUPREME COURT

Close to 2000 New Yorkers, 500 of them addressed in the street because of lack of space, came to Pythian Hall, 135 W. 70 St., on March 12 at 8 PM, for a meeting on "The Truth in the Rosenberg Case".

The meeting, first large public gathering on this issue, and one of scores of large meetings held recently in many parts of the country, was greeted by telegrams of support from a number of cities, unions, prominent individuals and end groups in Great Britain, Puerto Rico, Canada, Mexico and other lands.

The meeting unanimously adopted a resolution to President Truman, calling upon him to direct the U.S. Attorney General to consent to a new trial for the Rosenbergs and Morton Sobell.

Julius and Ethel Rosenberg, who were convicted on a charge of conspiring to commit espionage and sentenced to death in a trial from which all Jewish jurors had been excluded by the prosecution's challenges, sent a message to the meeting asserting their innocence. It read in part: "Like others we spoke for peace because we did not want our two little sons to live in the shadow of war and death...That is why we are in the death house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speak for peace and democracy." They assured their families, who were in the audience: "You are sitting in the midst of good, honest people. They will do everything in their power to bring us together again and to make this a better and happier world."

The meeting also adopted an Amicus Brief on behalf of the Rosenbergs, which read in part: "We believe that the trial...lacked

Committee To Secure Justice In The Rosenberg Case

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246 Fifth Avenue
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March 4th. 1952

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Dear Mr. Yudin*

Here is some stuff for the first release. I will feed you every day.

Public Meeting will Tell truth about Rosenberg Case

The National Committee To Secure Justice in the Rosenberg case announced today that a public meeting will be held Wednesday, March 12th at the Pythian Hall, 135 West 70 Street in New York. This meeting, at which will be represented numerous communal organizations, Landsmanschaften, trades unions as well as spokesmen for the professions, artists, and writers will expose the political hysteria which dominated the trial and which influenced the Court of Appeals in its decision to uphold the conviction.

Prominent speakers, representative of all walks of life will address the public gathering. Joseph Brainin, chairman of the Rosenberg Committee ~~xxxxx~~ in a statement urged the many thousands who have expressed interest in the Rosenberg case to attend this protest rally against the attempts to railroad Julius and Ethel Rosenberg to the electric chair without giving them an opportunity to prove their innocence at a new trial free from political hysteria. *Tickets can be obtained at the office of the Committee, 246 - 5th Ave.*

I leave it to you, dear Yudin, to give it the necessary touch and slant for the Jewish papers.

Sincerely yours

Joseph Brainin

Address your mail to:
Joseph Brainin
95 Christopher Street,
New York 14, N.Y.

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman

David Alman,
Executive Secretary

246 Fifth Avenue
Room 441
New York 1, N. Y.
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Mr. Yudin
Freiheit
50 E 13 Street
New York City
New York.

March 7, 1952

Dear Mr. Yudin:

I would appreciate it if you would mail the
Yiddish copies to

The Day
Morning Journal
Forward

Thanks.

Yours very truly,

Joseph Brainin
Joseph Brainin
Chairman

Dear Yudin;

This release is intended for the Freiheit and the other Yiddish papers of Tuesday. I would thank you again, if you would mail your story directly - ~~xxxxxxx~~ since there is no time - to the Day, Morning Journal and Forward. *But for the three papers*

the story would have to be changed for Wednesday and would leave to say Tonight. Thanks

J R Brainin
Joseph Brainin

Save-The-Rosenbergs-Meeting Tomorrow

Tomorrow evening's meeting at the Pythian Hall, 135 West 70th. Street promises to be one of the most impressive and imposing mass demonstrations ever held in the city of New York, according to reports from the National Committee To Secure Justice In The Rosenberg Case, under whose auspices the gathering is being held. Among the speakers who will tell to, what is expected an overflowing audience, the truth about the Rosenberg case are ~~xxxxxxxx~~ eminent scientists and scholars and some of our foremost communal leaders and progressive fighters. Mary Van Kleeck's address at Wednesday's meeting will be her first public appearance in the last three years. One of America's greatest sociologists, Miss Van Kleeck will make an important statement on the dangerous trends of American law institutions towards a police state. Much interest has also been aroused in the participation of Rabbi Louis D. Gross, the militant editor of the Jewish Examiner and Reverend Spencer Kennard one of the recognized great biblical scholars of today. William Patterson, the world famous Negro leader just back from Europe ^{U.N. resolution} and William Heuben, the internationally famous journalist who broke the Trenton Six case will also have important statements to make in their speeches. Among the other speakers are: Albert E. Kahn, the author, B. Z. Goldberg, the popular columnist and cultural leader and S. Federman, the president of the Federation of Polish Jews. One of the highlights of the meeting will be the first public appearance of Helen Sobell, wife of Morton Sobell, a victim of the Rosenberg trial who was sentenced to 30 years prison. Joseph Brainin chairman of the Committee will preside.

more
(over)

Tickets can still be obtained at the office of the Rosenberg Com-
mittee, 246 Fifth Avenue.

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Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Almon,
Executive Secretary

P R E S S R E L E A S E

246 Fifth Avenue
Room 441
New York 1, N. Y.
MUrray Hill 5-2144

FOR RELEASE

MARCH 12, 1952

ROSENBERG ATTORNEY SUBMITS ARGUMENTS FOR REHEARING BY U. S. CIRCUIT COURT OF APPEALS

Emanuel Bloch, attorney for Julius and Ethel Rosenberg, now in Sing Sing's death house, today (March 11) submitted an appeal for a re-hearing before the U.S. Circuit Court of Appeals which several weeks ago upheld the convictions and death sentences of the young Jewish couple.

Among other arguments advance for a rehearing were the following:

1) That the U.S. Circuit Court's opinion that membership in a Communist organization, flatly denied by the Rosenbergs, could show disposition to commit espionage, contradicted the U.S. Supreme Court's opinion in the Schneiderman case: "...beliefs are personal and not a matter of mere association, and that men in adhering to a political party or other organization notoriously do not subscribe unqualifiedly to all of its platforms or asserted principles".

2) That although the indictment charged the Rosenbergs with "espionage", the prosecution throughout the trial attempted to make the jury believe that they were being tried for treason, thus inflaming the jury by alluding to a greater crime which he did not have to prove in order to win a conviction for a lesser crime which he could not prove.

3) That the Circuit Court's opinion that an inflamed jury was a natural hazard in such a case deprived the Rosenbergs of protection from bias which they have a right to expect in the higher courts.

4) That the trial judge's practise of emphasizing prosecution testimony and belittling defense testimony to the jury could not be erase d by a few words of caution. Mr. Bloch said, in his new argument: "A jury impregnated with 3 weeks of impressions of an attitude of constant judicial disfavor towards these defendants,

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2.- (Rosenberg)

coupled with its respect for the authority of the bench, must defy the accepted laws of psychological behavior to be able to free their assailed minds and to restore lost objectivity by the patent of a three-minute homily."

Full facts on the case will be aired at a "Truth in the Rosenberg Case" public meeting today (March 12), at Pythian Hall, 135 W 70 St., 8 PM.

The meeting will be addressed by Rabbi Louis D. Gross, editor of the Jewish Examiner, Mary Van Kleeck, sociologist, William L. Patterson, civil rights leader, William Reuben, journalist who first "broke" the Trenton Six case, and whose articles and pamphlet on the Rosenberg Case have stirred world-wide interest, Mrs. Helen Sobell, wife of one of the co-defendants now in prison, B. Z. Goldberg, Jewish journalist, Rev. Spencer Kennard, Biblical scholar and writer, Albert Kahn, well known author, and by Joseph Brainin, who will chair the meeting.

A message from the Rosenbergs will be read to the audience, as well as messages of support from all over the country and abroad.

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Entubled

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, FOR THE DIRECTOR OF THE
Chairman

David Alman,
Executive Secretary

March 13, 1952

246 Fifth Avenue
Room 441
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MUrray Hill 5-2144

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Because of the size of the crowd, hundreds left their seats at
ten o'clock to allow others turned away an opportunity to attend.

The meeting was the first large public assemblage in New York City
on this case. The cheering audience enthusiastically adopted a resolu-
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test the defense's appeal for a reversal of the verdict and a new trial,
when the case is brought before the U.S. Supreme Court.

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"The sentence of death imposed upon Ethel and Julius Rosenberg is
a cruel revelation of breakdown in the hard-won safeguards of the
American system of justice, through the injection into the trial of
distorted and hysterical political prejudice... That the price of
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Mrs. Beatie Mitchell
~~William Reuben, international labor leader and~~

~~National Executive Secretary of the Civil Rights Congress~~ pointed out
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the death-sentence upon an innocent young Jewish couple, and to the
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firm guarantee of a return to the Bill of Rights and democratic prin-
ciples lay in the unity of "negro and white Americans, struggling to end
practices of death and discrimination because of political beliefs or
color.

(more)

Ethel and Julius Rosenberg, in a statement issued from the death house, reasserted their absolute innocence.

"We are an ordinary man and wife," their statement read, "and it is inevitable that ordinary people would be grievously persecuted by the history of the past few years. Like others, we spoke for peace because we did not want our two little sons to live in the shadow of war and death. Like others we spoke for the liberty of our fellow citizens because we believe, and want our children to believe in the fine democratic traditions of our country. That is why we are in the death-house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speak for peace and democracy."

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Other speakers at the rally included P. L. Goldberg, veteran Jewish journalist; Rev. Spencer Kennard, Biblical scholar and author; Albert Kahn, well-known journalist and writer, author of the best-seller "Sabotage"; William Reuben, crusading journalist, who first "broke" the Rosenberg case in a series of published articles; Helen Sobell, wife of co-defendant Morton Sobell; and Joseph Brainin, Anglo-Jewish journalist, and Chairman of the National Committee to Secure Justice in the Rosenberg Case.

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Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Alman,
Executive Secretary

246 Fifth Avenue
Room 441
New York 1, N. Y.
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SPEAKERS AND EXCERPTS FROM STATEMENT
PUBLIC RALLY: "THE TRUTH ABOUT THE ROSENBERG CASE".
WED., MARCH 12; PYTHIAN HALL, 135 W. 70 St.

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Capt Hugh N. Mulane
William Reuben
Dr. John L. Simon
Leon Straus
Lola Timmins
Elizabeth Todd
Dr. Leonard Tushnet

SPEAKERS:

✓ JOSEPH BRAININ - veteran Angl-Jewish journalist; Chairman, National Committee to Secure Justice in the Rosenberg Case.
✓ WILLIAM KUEHN - crusading journalist who first "broke" the "Trenton Six" case. His articles on the Rosenbergs have stirred world-wide attention.
✓ MARY VAN KLEECK - industrial sociologist; member of American Sociological Society, American Economic Association, Fellow of American Statistical Association and of American Association for Advancement of Science.
✓ EVELYN SOBELL - wife of Morton Sobell, one of the defendants, sentenced to 30 years in jail.
✓ ALBERT WEIN - journalist, writer, author of "Sabotage" - story of Nazi 6th Column activities in the U.S.; "High Treason", etc.
✓ WILLIAM L. HATHAWAY - Exec. Secy., Civil Rights Congress, editor of petition to UN: "We Charge Genocide", associated with civil rights struggles from time of Sacco-Vanzetti on.
B.Z. GOLDBERG - columnist, "Jewish Day". Journalist and writer.
REV. SPENCER KENNARD - famous Biblical scholar and author.

EXCERPTS: (Excerpts)

by Mary Van Kleeck:

The sentence of death imposed upon Ethel and Julius Rosenberg is a cruel revelation of breakdown in the hard-earned safeguards of the American system of justice, through the injection into the trial of distorted and hysterical political prejudices... Careful reading of the record in the trial of the Rosenbergs raises grave doubts that guilt has been proved. Indeed, it establishes a strong presumption of innocence..

"...that the price of political non-compliance should be death is, indeed, too horrible and too cruel to contemplate or to accept in our nation."

by Rabbi Louis D. Gross, Editor "Jewish Examiner" - read at Rally.

"After poring through volumes of the evidence presented in this tragic case, I am not convinced beyond a reasonable doubt that the Rosenbergs are guilty. Of one thing I'm sure.

Had the trial been conducted at the time, or shortly after the alleged crime was committed in 1944-45, when the US and Russia were allies, the result would have been different.

"Why did Judge Kaufman in this case impose the extreme penalty? Did he, being Jewish, feel that he was on the spot because he was dealing with Jewish defendants? Did he think that the death sentence against the Rosenbergs was necessary to counteract the anti-Semitic charge of Communism against Jews in general? Apparently the Judge has not learned that anti-Semitism has nothing to do with the truth."

by Ethel and Julius Rosenberg - read at the rally.

"We are innocent.. We are an ordinary man and wife, and it is inevitable that ordinary people would be grievously persecuted by the history of the past few years. Like others we spoke for peace because we did not want our two little sons to live in the shadow of war and death. Like others we spoke for the liberty of our fellow citizens because we believe, and want our children to believe in the fine democratic traditions of our country. That is why we are in the death-house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speak for peace and democracy."

read by Ethel

Memo

What's On

94

~~34-34-34-34~~

THE TRUTH IN THE ROSENBERG
CASE. ~~AT~~ WEDNESDAY MARCH
12 8PM PYTHIAN HALL

135 W 71 ST. PROMINENT
SPEECHES. ADMISSION 60¢
JUSTICE. ~~Committee to Secure~~

Justice in the Rosenberg Case.

A MOTHER WRITES FROM THE DEATH HOUSE:

"We Are Innocent"

Ethel Rosenberg

THE TRUTH ABOUT THE ROSENBERG CASE

PUBLIC MEETING

WEDNESDAY

MARCH 12 — 8 PM

PYTHIAN HALL

135 W. 70 ST.

★ ★ ★

PROMINENT SPEAKERS

Admission: 760 cents

Auspices: National Committee to Secure
Justice in the Rosenberg Case

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GOLDBERG, PROF. PEPHRAIM CROSS, WALDO
FRANK, MRS. BESSIE MITCHELL, JOHN T.
McMANUS, LEON STRAUS, etc.

THE FACTS

On April 5, 1951, Julius and Ethel Rosenberg, parents of two small children, were sentenced to die in the electric chair for a crime they deny committing — conspiring to commit espionage.

AMERICA ASKS

Why did the Circuit Court uphold the verdict and sentence after admitting that hysteria helped convict them?

Does the court's opinion that certain social views are grounds for accusations of espionage and death sentences menace the liberties and lives of millions of Americans?

Did Ethel Rosenberg's brother, David Greenglass, negotiate with the Government to save his neck by sending his sister and brother-in-law to the death house?

Why didn't the Government permit a single Jewish juror to sit on the case?

THESE QUESTIONS AND OTHERS WILL BE ANSWERED ON

WEDNESDAY, MARCH 12 — 8 PM

PYTHIAN HALL — 135 W. 70 ST.

For tickets and further information write to:

NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE

246 Fifth Ave. — MU 5-2144

WRITE TO PRESIDENT TRUMAN — ASK THAT HE TAKE
STEPS TO REVERSE THE BIASED VERDICT AND BRUTAL
DEATH SENTENCE!

Committee To Secure Justice In The Rosenberg Case

P R E S S R E L E A S E

Joseph Brainin,
Chairman
David Almon,
Executive Secretary

FOR RELEASE

MARCH 23, 1952

246 Fifth Avenue
Room 441
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1000 SIGN ROSENBERG AMICUS PETITION IN FIRST WEEK.
NATIONWIDE MEETINGS UNDER WAY

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Rabbi Louis D. Gross
Louise Harding Herr
Rev. Spencer Kennard
Hon. Robert Moses Lovett
Dr. Bernard Lubka
Dr. John Marshall
John T. McManus
Mrs. Bessie Mitchell
Capt Hugh M. Mulzac
William Reuben
Dr. John L. Simon
Leon Struss
Lois Timmins
Elizabeth Todd
Dr. Leonard Tushnet

1000 Americans have already signed an Amicus Brief on behalf of Julius and Ethel Rosenberg, now in Sing Sing's death house, and Morton Sobell, under a 30 year sentence, to be presented to the Supreme Court if current appeals for a rehearing by the U.S. Court of Appeals are denied, it was announced today by Joseph Brainin, Chairman of the National Committee to Secure Justice in the Rosenberg Case.

The Amicus petition was initiated at an overflow public meeting on the case on March 12 at Pythian Hall in New York City.

Every major state is represented by the signers, among whom are automobile workers, lawyers, housewives, doctors, needle trades workers, and farmers.

The Committee also announced that large public meetings are scheduled within the next month in Los Angeles, Detroit, Cleveland, Philadelphia, Washington D.C., and other cities.

In the New York-New Jersey area alone there will be held 15 neighborhood meetings in the next 15 days. These will be in Lakewood, N.J.; West Bronx; Flushing; Parkchester; Coney Island; Bath Beach; Brighton Beach; Bensonhurst; East New York; lower East Side Manhattan; Cedarhurst, L.I.; New Rochelle; Yorkville, and elsewhere.

Among the speakers at these local meetings will be Mr. William Reuben, journalist who first brought the case to world-wide attention; Mrs. Helen Sobell, wife of Morton Sobell; Mr. Joseph Brainin, journalist and Chairman of the Committee; Mrs. Emily Almon, Committee Treasurer; Albert Kahn, internationally known writer; and others.

Committee To Secure Justice In The Rosenberg Case

P R E S S R E L E A S E

Joseph Brainin,
Chairman
David Alman,
Executive Secretary

FOR RELEASE

MARCH 20, 1952

246 Fifth Avenue
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Handwritten: 1-30-3

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AMICUS BRIEF* in the ROSENBERG CASE

WE BELIEVE that the trial of Julius and Ethel Rosenberg and Morton Sobell on a charge of conspiring to commit espionage, which resulted in death sentences for the Rosenbergs and a 30 year sentence for their co-defendant, lacked guarantees of fairness which all Americans have a right to expect under the Constitution.

WE BELIEVE that the Prosecutor and Trial Judge permitted fear and prejudice to dominate the trial by 1) attributing to the defendants social beliefs which are today the target of virtually every public tribunal, and 2) attributing to them reversals and casualties suffered in Korea.

WE BELIEVE that transient political and social passions have no place in our courts, that to deprive even one American of the right to a fair trial is to injure the rights of all Americans.

WE THEREFORE authorize the inclusion of our names in an Amicus Brief to the Supreme Court of the United States, petitioning that the verdicts and sentences be set aside, and that a new trial be ordered, based on Constitutional guarantees of impartiality and fairness in accordance with the best traditions of American justice.

Name	Address	City	State

Please return to: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 5th Avenue, New York 1, N. Y., MU 5-2144.

Name of person returning this Amicus _____
Address _____ City and State _____ Organization _____

*Signers of an Amicus Brief act as friends of the court, petitioning because they believe an important principle is at stake.

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Almon,
Executive Secretary

246 Fifth Avenue
Room 441
New York 1, N.Y.
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P R E S S R E L A S E

FOR RELEASE

MARCH 9, 1952

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John T. McManus
Mrs. Bessie Mitchell
Capt Hugh N. Mulzac
William Reuben
Dr. John L. Simon
Leon Strous
Lois Timmins
Elizabeth Todd
Dr. Leonard Tusheat

RELIGIOUS, CIVIL RIGHTS LEADERS TO SPEAK AT PUBLIC MEETING MARCH 12

Rabbi Louis D. Gross, editor of the Jewish Examiner, Mary Van Kleeck, eminent sociologist, and William L. Patterson, head of the Civil Rights Congress, are among the speakers who will appear at a March 12 public meeting at Pythian Hall, 135 W 70 St., to hear the truth in the Rosenberg Case.

A message from Julius and Ethel Rosenberg, now in Sing Sing's death house, will be read to the meeting.

Other speakers are Mrs. Helen Sobell, wife of Morton Sobell, a co-defendant sentenced to 30 years; Rev. Spencer Kennard, famous Biblical scholar; B. Z. Goldberg, well known Jewish journalist; Albert Kahn, world famous author; S. Federman, Chairman of the United Landsmanshaften Societies; and William Reuben, crusading journalist whose articles on the case have aroused widespread interest all over the world.

Messages from prominent public figures, labor leaders, and others, will be read at the meeting.

The March 12 meeting is one of many that have taken place or are in preparation in every major city in the country.

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Alman,
Executive Secretary

246 Fifth Avenue
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JUSTICE DEPARTMENT TO CONSIDER REQUEST FOR CONSENT TO NEW TRIAL FOR ROSENBERGS, SOBELL

SPONSORS (Partial List)

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Ellenbeth Todd
Dr. Leonard Tushnet

For Immediate Release.-- The Department of Justice has agreed to give consideration to a request for a new trial for Edith and Julius Rosenberg, who face the death sentence, and for Morton Sobell, beginning a 30-year prison term, it was announced today by the National Committee to Secure Justice in the Rosenberg Case.

The Justice Department's attitude was set forth by A. F. Oehman, Special Assistant to Attorney General J. Howard McGrath, in an interview with a delegation of ten people from New York, Connecticut and Washington, D. C. Mr. Oehman, in an hour and a half discussion, maintained that his Department had no authority to interfere with the workings of the courts. Delegates, insistent upon expressing the views of the many thousands they were representing, succeeded in overcoming this evasion, and elicited the reluctant statement from Mr. Oehman that the Department would give their request due consideration.

Members of the delegation, which secured the appointment with the Attorney General's representative as part of a program of actions on Friday, March 28th, "Rosenberg Day," included Rev. Spencer Kennard, Mrs. Bessie Mitchell, and Mrs. Emily Alman of New York City, and Dr. John Marsalka of New Haven, Conn.

While the delegates were meeting in Washington, the many Rosenberg committees throughout the country led a telephone and telegram campaign directed to the Department of Justice and its local offices, which resulted in thousands of messages requesting a new trial.

The delegation declared in a statement that they represented "many thousands of Americans who have come to believe that the cases of Ethel and Julius Rosenberg and Morton Sobell represent a serious danger both to Constitutional guarantees of fairness and to the humane standards which constitute the moral fiber of our country's judicial tradition."

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman

David Almon,
Executive Secretary

246 Fifth Avenue
Room 441
New York 1, N. Y.
Murray Hill 5-2144

"MARCH 28 - ROSENBERG DAY" GETS WIDE SUPPORT;
CATHOLIC EDITOR AMONG AMICUS SIGNERS

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Mrs. Bessie Mitchell
Capt. Hugh N. Mutsaers
William Rauben
Dr. John L. Simon
Leon Street
Lola Tennen
Elizabeth Todd
Dr. Leonard Tushnet

For Release Wednesday, March 26.-

Thousands of Americans will take joint action on Friday, March 28th in calling for a new and fair trial for Julius and Ethel Rosenberg, now in Sing Sing's death house, and for Morton Sobell, under a 30-year sentence, it was announced today by Joseph Brainin, chairman of the National Committee to Secure Justice in the Rosenberg Case.

While a delegation of prominent citizens calls upon Attorney General J. Howard McGrath in Washington D. C., others will telephone and wire the Attorney General and visit local Department of Justice offices.

The nation-wide action has been called, Mr. Brainin stated, in order to give immediate voice to the swelling demand for justice in the Rosenberg case, as illustrated by the thousands who have already signed the Amicus Brief, among the latest of whom is Dorothy Day, editor of the Catholic Worker.

In addition to the Committees functioning in key cities across the nation, new Rosenberg Committees have been established during the last week in eight cities in Virginia, Georgia, Louisiana, South Carolina and North Carolina.

Mr. Brainin asked for the widest participation in the March 28th action, urging that in addition to visiting local Department of Justice offices, all Committees, other concerned groups and individuals wire or telephone the Attorney General in Washington.

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dpowa

A FACT SHEET ON ANTI-SEMITISM IN THE CASE: NEWSPAPER COMMENT

Did anti-Semitism play a part in the case of Ethel and Julius Rosenberg and Morton Sobell (the Rosenbergs were sentenced to death, Sobell to 30 years for alleged atomic espionage)? The following newspaper comment, mainly from the Yiddish and the English-Jewish press, helps answer this question.

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JEWISH DAILY FORWARD (April 6, 1951): "When we editors got the news that Julius and Ethel Rosenberg were sentenced to death, a smolder passed through all of us ... We are certain that every Jew who read this sad news felt this way. From our hearts came the words, 'Death sentence, too horrible' ... Every Jewish home will be shattered by this tragedy."

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"The death sentence which Judge Kaufman issued left the feeling that precisely because he is a Jew, he went to an extreme and applied the heavy hand of judgment ... There is a suspicion that the fact that Judge Kaufman is a Jew perhaps unconsciously motivated him to issue a verdict which, in the opinion of many, is considered to be unjust and brutal ... One cannot overlook the Jewish element in this unfortunate, tragic Rosenberg trial ... if the Rosenbergs are, as Judge Kaufman has said, guilty of the death of 50,000 American soldiers in Korea, one can easily hold the Rosenbergs and their like responsible for the atom war against America.

"Has Judge Kaufman considered to what his speech can lead?"

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For additional material and inquiries, write to NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 Fifth Avenue, New York, N.Y.

RECEIVED 4-10-52

FROM CS NY 426

2

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RECEIVED 4-11-52

FROM CS NY 426

2 gvm

ASK NEW ATTORNEY GENERAL TO FACILITATE SECOND TRIAL FOR ROSENBERGS, MORTON SOBELL

For Immediate Release.-- The newly appointed Attorney General was today (April 9th) asked to use his influence to bring about a new trial for Ethel and Julius Rosenberg and Morton Sobell and thereby "restore the faith of many thousands in our judicial processes."

In a letter to the Attorney General, Joseph Brainin, Chairman of the National Committee to Secure Justice in the Rosenberg Case, informed him of the Committee delegations interview on March 28th with Special Assistant to the Attorney General (then J. Howard McGrath), A. P. Ochman, during which Mr. Ochman stated that the Department of Justice would give consideration to the request for a new trial.

The letter stated in part:

"We wish to express the anxiety and hope of the many thousands of Americans whom we represent that you will utilize your authority to facilitate a new trial for Julius and Ethel Rosenberg and Morton Sobell....

"Your influence can do much in the cause of justice and restore the faith of many thousands in our judicial processes."

Mr. Brainin announced that many telegrams, letters and telephone calls to the Attorney General from all parts of the country asked for a new trial on March 28th, Rosenberg Day, and that hundreds of communications are still being sent. He called for renewed effort to bring immediately to the attention of the new Attorney General the facts in the case and the increasing determination of people throughout the country to see justice done through a new trial.

Committee To Secure Justice
In The Rosenberg Case

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Lois Timmons
Leon Strauss
Dr. John L. Stoen
William Rindner
Capt Hugh M. Mather
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FOR JUSTICE

WRITE to President Truman and Attorney General J. Howard McGrath. Tell them what you think. Ask that the government consent to a reversal of the Rosenberg conviction, thus permitting a new trial or discontinuance of their prosecution.

URGE your Senators and/Congressmen to make the foregoing request to the White House and the Department of Justice.

WRITE the National Committee to Secure Justice in the Rosenberg Case for more information. We will send you our new 32-page pamphlet "TO SECURE JUSTICE IN THE ROSENBERG CASE," by William A. Reuben, which tells the whole story. Ask for as many as you can possibly circulate. Send us a financial contribution—big or little. We need help. Use the form below.

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NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
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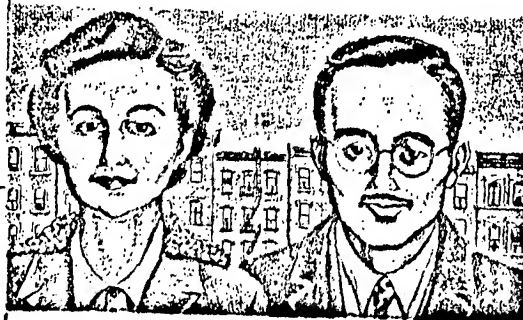
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THE ROSENBERG CASE

a fact sheet



Published by
THE NATIONAL COMMITTEE TO
SECURE JUSTICE IN THE
ROSENBERG CASE
246 Fifth Ave., New York 1, N. Y.

On April 5, 1951, Julius Rosenberg and his wife Ethel were sentenced to die in the electric chair, having been convicted on a charge of conspiracy to spy on behalf of the Soviet Union.

The Rosenbergs have unwaveringly maintained their innocence from the day of their arrest. When Ethel Rosenberg was taken to the Sing Sing death house, she declared:

"We said and we say again that we are victims of the grossest type of political frame-up ever known in America."

On February 25, 1952, the U. S. Circuit Court of Appeals upheld the verdict and the sentences in a shocking decision that held, among other things, that persons could be considered disposed to commit espionage by virtue of their political or social views. The defendants' attorneys will appeal the case to the Supreme Court.

Thousands of people, among them many eminent public figures, do not believe the Rosenbergs guilty or that their trial was a fair one. Thousands more, who have grave doubts of their guilt, are horrified at the death sentence.

A number of these citizens have formed the National Committee to Secure Justice in the Rosenberg Case, and many times their number have contributed money and time to make new appeals possible and to bring the case, with its far-flung implications, to the public.

THE ROSENBERGS

Ethel and Julius Rosenberg, until their arrest, led the life of every-day people, struggling for a livelihood and education, and hoping that their two young sons, aged nine and four, would be spared the hardships familiar to the parents.

Julius Rosenberg, 34, was born and raised on the lower East Side of New York City. He attended public school and Seward Park High School as well as the Downtown Talmud Torah and Hebrew High School. He graduated from the City College of New York in 1939 with a Bachelor's Degree in Engineering.

Ethel Rosenberg, 36, graduated from Seward Park High School, and took courses in bookkeeping, stenography, typing, Hebrew, piano, guitar, and voice, and a course in child psychology at the New School for Social Research. They lived in an apartment on the lower East Side for which they paid approximately \$45 a month. Since their marriage they lived solely on Julius' \$70 a-week income as a government engineer, except for the past few years when they managed a meager living from the profits of a small machine shop business. Julius was an active member of his trade union. Ethel did volunteer work in community and civilian defense organizations.

THE INDICTMENT

The indictment charged the Rosenbergs with initiating a conspiracy during 1944, the last year of the war against nazism, to transmit information "relating to the national defense of the United States" to the Soviet Union.

The prosecutor however, went far beyond the indictment, charged that the Rosenbergs had given the Soviet Union the "secret" of the atom bomb, and attempted to create the impression that the Rosenbergs were "Communists," holding allegedly "subversive" views, and therefore disposed to commit espionage. He further attempted to impress the jury that a verdict of "innocent" would be tantamount to repudiation of our government's foreign policy.

THE PROSECUTION'S CASE

Before the trial the prosecutor announced that he would call 118 witnesses, among them top scientists Dr. J. Robert Oppenheimer, Dr. Harold C. Urey; Gen. Leslie R. Groves, head of the atom bomb project during the war; agents of the Federal Bureau of Investigation; alleged associates of the Rosenbergs in the "conspiracy"; and two "star" witnesses. All witnesses were supposed to give evidence of Rosenberg's alleged spy activities.

Of these 118, the prosecutor called only 20, among them none of the above named scientists or FBI agents. Of the 20, 8 merely gave details of a trip which Sobell took to Mexico, a trip which the prosecutor did not allege to be for espionage purposes; 2 testified that certain security measures were taken to conceal the nature of the atom bomb project; 1 was an engineer who interpreted a sketch manufactured for the court by David Greenglass, chief government witness; 1 was the Rosenberg family doctor who testified that Rosenberg had asked him questions pertaining to inoculations necessary for a trip to Mexico; 1 was a relative of Ruth Greenglass, who testified that David had given him \$4000 to hold for him; 1 was the sister of Ruth Greenglass who testified that she was once asked to leave the room by Julius Rosenberg on a visit to the Greenglass home; 1 was a witness who identified a photograph of Anatoli Yakovlev, a former Soviet consular aide named a co-defendant in the trial, and who had returned to his country in December 1946; 1 was Elizabeth Bentley, who testified that all Communists were spies, but had never met any of the defendants; 1 was Harry Gold, who testified in the same vein as Bentley, and admitted that he did not know the Rosenbergs. Of the remaining 3 witnesses, 1 said that Rosenberg had twice asked him to become a spy, but had declined each time. This witness, Max Elitcher, admitted that he faced a five year prison sentence for perjury, and that he "hoped for the best" as a result of his uncorroborated testimony. He is free today, never having been tried. The remaining two witnesses, David and Ruth Greenglass, were both, according to the prosecutor, and their own statements, involved in the alleged conspiracy, but as a result of their testimony, of which more later, Ruth was never brought to trial, and her husband got off with a 15 year sentence.

Thus it is clear that the government's entire case is based on the Greenglasses uncorroborated testimony. The prosecutor produced 32 exhibits as "documentary evidence." Not one of these documents, by the prosecutor's own admission, connected the Rosenbergs with a conspiracy to commit espionage. In fact, only two of the documents were at all related to the Rosenbergs. One was a collection can issued by the Spanish Refugee Appeal, the other was a nominating petition, signed by Ethel, for Peter V. Cacchione, a successful Communist candidate for the City Council of New York.

The prosecutor filled the overwhelming bulk of his case with persistent insinuations that the Rosenbergs were Communists, that U. S. monopoly of the atom bomb was important to world peace, and that war with the Soviet Union was virtually inevitable.

THE STAR WITNESSES

David Greenglass, brother of Ethel Rosenberg, and his wife Ruth, were the star witnesses against the Rosenbergs. Both admitted that they had committed espionage for which they received money and for which both could be given the death penalty.

David Greenglass was arrested in June and indicted in July 1950. He was held in \$100,000 bail, placed in solitary confinement, and visited for hours at a time by the FBI.

He and Ruth hired O. John Rogge, who himself later became a star government witness against the eminent Negro scholar Dr. W. E. B. DuBois in a case charging Dr. DuBois with being a foreign agent (the judge threw the case out of court). After extended negotiations by the Greenglasses, Rogge, Prosecutor Irving Saypol and agents of the Department of Justice, The FBI arrested Julius Rosenberg and later his wife Ethel solely on the basis of "information" given by the Greenglasses.

The Greenglass' uncorroborated testimony was the only evidence presented that the Rosenbergs had conspired to steal the atom-bomb secret. Their testimony in respect to the Rosenbergs was solely oral, and no documents or other proofs linking the Rosenbergs to espionage were introduced. No witnesses were called to substantiate any conversations on espionage that allegedly took place between the Greenglasses and the Rosenbergs. David Greenglass testified that relying solely on his memory of snatches of overheard conversation at the atom-bomb project at Los Alamos, and his remembrance of details of blueprints which had been shown to him as part of his work as a machinist, he had drawn up an elaborate sketch of the atom bomb, together with twelve pages of written material, which he allegedly conveyed as a description of the bomb to Rosenberg.

The following are Greenglass' actual qualifications for this impressive feat:

- 1) experience as an ordinary machinist in both army and civilian life;
- 2) a high school education, plus 8 technical courses at Brooklyn Polytechnic Institute, in all 8 of which he admitted he was graded "failure";
- 3) an admission that he was ignorant of various formulas governing component parts of the atom bomb, and that he had never taken courses or read books on such essential subjects as elementary, differential or advanced calculus, thermodynamics, quantum mechanics, nuclear or atomic physics. Not a single atomic scientist was called to support David Greenglass' testimony concerning the atom bomb or to confirm the authenticity of the "sketch" of the atom bomb he made for the trial. Instead, a then first lieutenant, John Derry, an aide to General Groves, whose job in the Army was mainly related to personnel, was called upon to testify that the manufactured sketch reflected to a "substantial degree" the principles of the atom bomb. Derry's sole "qualification" was a Bachelor of Engineering degree.

Had Dr. Harold C. Urey been called by the prosecutor, as the latter had announced he would do, Dr. Urey could have demolished Greenglass' testimony by repeating what he had said on March 3, 1946, during Congressional hearings on whether the atom bomb should be controlled by civilians or the Army. The N. Y. Times reports him as saying: "Detailed data on the atomic bomb, he declared, would require '80 to 90 volumes of close print' which only a scientist or engineer would be able to read . . . Any spies capable of picking up this information," Dr. Urey added, "will get information more rapidly by staying at home and working in their own laboratories."

Responsible periodicals and science editors commented as follows on Greenglass' testimony:

TIME MAGAZINE: "Some of his testimony made little scientific sense."

LIFE MAGAZINE'S Science Editor: "Greenglass' implosion bomb appears illogical, if not downright unworkable."

SCIENTIFIC AMERICAN: "History's most elaborately guarded secret—how to make an atomic bomb—was casually let out of the bag in a courtroom last month. Or was it?"

POLITICS INSTEAD OF EVIDENCE

The prosecutor set out to show that the defendants were Communists and that Communists are spies. This had nothing to do with either the indictment or proof that the Rosenbergs had conspired to commit espionage. The prosecutor said that the Rosenbergs had allegedly committed this crime because their loyalty was to "communism in this country and communism throughout the world." But he did not establish that the Rosenbergs were Communists. Instead, he showed:

- 1) the Rosenbergs had a Spanish Refugee appeal can in their home;
- 2) Ethel Rosenberg was one of 50,000 New York citizens who had signed a nominating petition in 1941 for Peter V. Cacchione, successful Communist Party candidate for New York City Councilman;
- 3) the Rosenbergs carried sick and death benefit insurance with the International Workers Order, a multi-national, inter-racial fraternal insurance society with 160,000 members in 18 states;
- 4) the Rosenbergs were both active members of their trade unions; Ethel in Local 65 of the Wholesale, Retail and Warehouse Workers Union; Julius in the Federation of Architects, Engineers and Technicians;
- 5) the Rosenbergs occasionally read the Daily Worker;
- 6) the Rosenbergs believed that the Soviet Union had borne the brunt of the war against Nazi Germany, and that it had done its share in wiping out the murderers of 6 million Jews;
- 7) the Rosenbergs had been pleased and lauded the United States and Great Britain for opening up a second front;
- 8) Julius Rosenberg had once been accused of being a Communist, for which he had been fired from the Signal Corps, although he had sworn that he was not a Communist.

AN ARGUMENT FOR FOREIGN POLICY INSTEAD OF EVIDENCE

The prosecutor argued that the atom bomb was "the one weapon that might well hold the key to the survival of this nation." He argued that the United States had made every effort to keep the principles of the atom bomb a secret, and insinuated that since the Soviet Union was by then known to have the bomb, the Rosenbergs must be guilty of having conspired to transmit its secret to that country.

Leaving aside the absurdity of this kind of "proof" against the Rosenbergs, all recognized authorities deny the possibility of atom-bomb monopoly and atom-bomb "secrets." This is what these authorities say:

ATOMICS, a monthly scientific magazine, September 1949: "Since the discovery of uranium fission in 1938 there has been no basic secret regarding an atomic bomb."

SMYTH REPORT, official report of the U. S. government on atomic energy development, published in 1945: "... the principles that have been used were well known to the international scientific world in 1940."

INTERNATIONAL NEWS SERVICE, December, 1950, in a story dated Washington, D. C.: "The Atomic Energy Commission Friday barred secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1940, the year the United States began attempts to develop the missile."

DR. J. ROBERT OPPENHEIMER, in a speech in January, 1951, said, according to the N. Y. Times: "... that there were no 'unpublished' secrets concerning atomic weapons, and no 'secret laws of nature' available only to a few."

NEW YORK TIMES, Feb. 24, 1952: "The British development of an atom bomb confirmed what had been apparent when the Russians exploded their bomb in 1949—that the secret of the atom bomb was not a secret, that any nation with the resources could construct one, but only big and wealthy nations could afford this kind of armament."

THE DEATH SENTENCE

In imposing the death sentence against Ethel and Julius Rosenberg, Judge Irving Kaufman said that they had "altered the course of history to the disadvantage of our country ... we have evidence of your treachery around us every day ... I believe your conduct has already caused, in my opinion, the Communist aggression in Korea, with resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason."

From the Judge's comments, it appears that he sentenced the Rosenbergs to death for crimes with which they were not at all charged. They were neither accused of treason nor was any evidence brought in linking them in any way to the investigation of any wars, past, present, or future. But the Judge's comments, and the death sentence, like the jury's verdict, is in line with the

prosecution's inability to bring in convincing proof that the Rosenbergs conspired to commit espionage, substituting, instead, inflammatory and reckless charges that had nothing to do with the case.

It is unthinkable that the same verdict and the same sentence would have been given had these wild accusations formed the basis of a "case" during the war years (when the USSR was our ally), when the alleged conspiracy was supposed to have taken place, or even in the first years following the end of the war.

Further, we can compare the sentences given to confessed or convicted traitors and saboteurs such as Axis Sally and Tokyo Rose, who got ten years each, and the famous Molzahn case in which four men who gave vital secrets to Germany in the Fall of 1941 were let off with 5 to 15 year sentences.

Finally, this is the first time in the history of our country that a civil court has imposed the death sentence for a charge of espionage. No person committing treason, the gravest of all crimes, has ever been executed.

THE TAIN OF ANTI-SEMITISM

Shortly after the trial was over the prosecutor, although Jewish, was severely reprimanded by a United States Court of Appeals for practicing anti-Semitism in another case. This grave charge is bolstered by the fact that the Rosenberg trial, in a city whose population is one-third Jewish, proceeded without a single Jewish juror due to challenges by the prosecution. Here are comments from the Jewish press:

THE DAY: "The death sentence imposed by Judge Kaufman left the feeling that precisely because he is a Jew did he go to an extreme and deal judgment with a heavy hand ... that Judge Kaufman is a Jew has perhaps unconsciously motivated him to issue a sentence which, in the opinion of many, is considered to be unjust and brutal."

DAILY FORWARD: "Too horrible ... every Jew feels the same way."

CHICAGO SENTINEL, an Anglo-Jewish paper, in a column on Feb. 7, 1952 by Rabbi G. George Fox, one of the most widely known Rabbis in the mid-west, an eminent scholar and author: "I am certain that Judge Kaufman's decision will be found unjust, if not illegal."

CONCLUSIONS

- 1) The Rosenbergs were convicted on unsubstantial and incredible evidence.
- 2) The prosecution prejudiced and inflamed the jury by bringing in extraneous issues in every phase of the trial.
- 3) The suspicion of anti-Semitism taints the entire trial.

When it is borne in mind that Ethel and Julius Rosenberg were ordinary folk like the vast majority of us, that they were not leaders of any political or social or economic movements, it becomes clear that a new danger faces this vast majority, the danger that past or present or future views on social issues may become the basis for wild accusations, imprisonment, and even death. That is why it is in the interest of all Americans, regardless of their beliefs and creeds, to make certain that justice is done in the Rosenberg Case.

b7d

A MOTHER WRITES FROM THE DEATH HOUSE:

"We Are Innocent"

Ethel Rosenberg

THE TRUTH ABOUT THE ROSENBERG CASE

PUBLIC MEETING

WEDNESDAY

MARCH 12 — 8 PM

PYTHIAN HALL

135 W. 70 ST.

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THE FACTS

On April 5, 1951, Julius and Ethel Rosenberg, parents of two small children, were sentenced to die in the electric chair for a crime they deny committing — conspiring to commit espionage.

AMERICA ASKS

Why did the Circuit Court uphold the verdict and sentence after admitting that hysteria helped convict them?

Does the court's opinion that certain social views are grounds for accusations of espionage and death sentences menace the liberties and lives of millions of Americans?

Did Ethel Rosenberg's brother, David Greenglass, negotiate with the Government to save his neck by sending his sister and brother-in-law to the death house?

Why didn't the Government permit a single Jewish juror to sit on the case?

**THESE QUESTIONS AND OTHERS
WILL BE ANSWERED ON**

WEDNESDAY, MARCH 12 — 8 PM

PYTHIAN HALL — 135 W. 70 ST.

For tickets and further information write to:

**NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE**

246 Fifth Ave. — MU 5-2144

**WRITE TO PRESIDENT TRUMAN — ASK THAT HE TAKE
STEPS TO REVERSE THE BIASED VERDICT AND BRUTAL
DEATH SENTENCE!**

4-17-1955 4-18-55

YOUR DAY IS FREEDOM DAY

YOUR DAY COMPLETE

ACT FOR MORTON SOBELL

April 15th issue of CHRISTIAN CENTURY (leading Protestant weekly) urges commutation for Sobell.

April 5th Sunday, GREGORIAN (Portland's Independent Republican daily) calls for justice for Sobell.

February 25th, Dr. Reinhold Niebuhr, Professor Edmond Cahn and a group of leading theologians and law professors appeal for commutation for Sobell.

April issue, INTERCOLLEGIAN, Student YM-YWCA publication, calls Sobell case "Issue of the Month", urging study and action.

Throughout America--Clergymen, important newspapers and magazines, Senators, Congressmen, Statesmen, are looking anew at the Rosenberg-Sobell case, so central in the fight for justice. Everywhere doors are opening. YOUR ACTIONS will help open that final door-to truth and freedom.

CONSIDER THESE FACTS:

Morton Sobell was tried together with Ethel and Julius Rosenberg on espionage conspiracy charges, at the height of the McCarthy period and anti-Communist hysteria, during the war in Korea. He was convicted on the word of one witness, a self-confessed perjurer, testifying in hopes that he wouldn't be punished for his perjury (He never was).

Sobell received a 30 year sentence and is now serving his 9th year in prison...The Supreme Court never reviewed the record to see if the defendants had received a fair trial...No court ever reviewed the credibility of the prosecution witnesses, several of whom have since been discredited in other proceedings...The inordinate sentences have never been reviewed by any court...Law Journals which have studied the case conclude that Morton Sobell did not receive justice.

WRITE LETTERS LIKE THESE, NOW:

1. President Dwight D. Eisenhower
The White House, Washington, DC.
Dear Mr. President:

Please include me among the many Americans who wish you to commute the sentence of Morton Sobell to the time already served, or recommend a new trial.

Respectfully yours

2. Senator Jacob K. Javits
U.S. Senate, Washington, DC.
Dear Senator Javits:

Won't you please look into the Morton Sobell case and help obtain a new trial or a commutation of sentence?

Respectfully yours

3. Please also write to Senator Kenneth Keating, U.S. Senate and to your Congressman, The House of Representatives in Washington, D.C.

DON'T FORGET YOUR FINANCIAL CONTRIBUTION!

ORGANIZE A HOUSE PARTY FOR SOBELL!

Contact THE NEW YORK COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
940 Broadway, New York 10, N.Y. AL 4-9983

Handwritten signature and date: 12/15/55

Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,
Chairman
David Almon,
Executive Secretary

246 Fifth Avenue
Room 441
New York 1, N. Y.
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Feb. 29, 1952

Dear Friend;

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The Appeals Court affirmation of the verdict and sentences in the Rosenberg Case is one of the most shocking judicial acts in our country's history.

The Court's opinion that certain social beliefs may form the basis for accusations of espionage and death sentences confronts millions of Americans with grave danger to their liberties and lives.

Only immediate, nation-wide steps to rouse our fellow citizens to the danger to the Rosenbergs and to themselves can prevent a terrible tragedy.

Your past generosity and help has made it possible to bring our campaign for justice to millions of people. We have taken advertisements in the St. Louis Post Dispatch, Chicago Daily News, Nation magazine, NY Compass, National Guardian, Jewish Day, Morning Freiheit, Jewish Life, Jewish Morning Journal, and other publications. We have printed 60,000 and distributed 45,000 copies of Mr. Neuben's fine pamphlet. We have initiated or helped organize public meetings in Chicago, Cleveland, New York, and other cities. (We have a large public meeting in New York on March 12). We have printed thousands of leaflets, and we now have a fact sheet on the press. When you add the cost of these to legal expenses, office rent, technical help, mailings, etc., you will realize how strained our financial resources are.

Now we begin a new round of public appeals and legal expenses, for which we need immediate funds.

We must ask you to be generous again. Please give as much as you can, as soon as you can.

Very truly yours,

Joseph Brainin
David Almon
David Almon

P.S.

Send a letter today to President Truman and U.S. Attorney General J. Howard McGrath, asking that they take steps leading to a reversal of the verdicts and death sentences in the Rosenberg Case.

Hold public meetings, organize local Rosenberg Committees - time is short.

b7d
-244

AMICUS BRIEF* *in the* ROSENBERG CASE

WE BELIEVE that the trial of Julius and Ethel Rosenberg and Morton Sobell on a charge of conspiring to commit espionage, which resulted in death sentences for the Rosenbergs and a 30 year sentence for their co-defendant, lacked guarantees of fairness which all Americans have a right to expect under the Constitution.

WE BELIEVE that the Prosecutor and Trial Judge permitted fear and prejudice to dominate the trial by 1) attributing to the defendants social beliefs which are today the target of virtually every public tribunal, and 2) attributing to them reversals and casualties suffered in Korea.

WE BELIEVE that transient political and social passions have no place in our courts, that to deprive even one American of the right to a fair trial is to injure the rights of all Americans.

WE THEREFORE authorize the inclusion of our names in an Amicus Brief to the Supreme Court of the United States, petitioning that the verdicts and sentences be set aside, and that a new trial be ordered, based on Constitutional guarantees of impartiality and fairness in accordance with the best traditions of American justice.

Name	Address	City	State
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Please return to: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 5th Avenue, New York 1, N. Y., MU 5-2144.

Name of person returning this Amicus _____

Address _____ City and State _____ Organization _____

*Signers of an Amicus Brief act as friends of the court, petitioning because they believe an important principle is at stake.

67d

National Committee to Secure Justice
in the Rosenberg Case - 246 8th Ave. MU 5 2144

I pledge to contribute \$ _____ by _____
(date)

I can volunteer time to the Committee ()

Name _____ Address _____

City _____ Zone _____ State _____

Both funds and volunteer workers are urgently
needed. Give what you can, do what you can.

Dec 25, 1952.

Editor of the Consent
Hartford, Conn.

Dear Sir:

As the enclosed
letter is printed, I shall
be grateful for a clipping
of it and of any other
comment on the Rosenberg
Case appearing in the
Consent. With thanks
for past consideration.

Sincerely,

Margaret Chapman

288 8th St. N.E.
Washington, D.C.

Home address.

Yec, mms.

Editor of the Courant:

May I call attention to the Rosenberg Case which is not receiving the publicity it merits. It is important not only because two persons, believed by many to be innocent, are condemned to die, but also because, if the reasoning by which the verdict is justified, is allowed to stand as a precedent, anyone expressing certain unpopular opinions is in danger of sharing the fate of the Rosenbergs.

Julius Rosenberg and his wife, Ethel, were convicted about a year ago of complicity in transmitting Atomic information to the USSR in 1945, when that country was an ally of ours in the war against Hitler, and were given the death sentence, unprecedented in this country for persons convicted of espionage by a civil court. Since their conviction, they have been in the Sing Sing death house awaiting court action on their appeal. Ever since their arrest, they have consistently declared their innocence of complicity in or cognizance of the crime of which they are convicted.

Mrs. Rosenberg's brother, David Greenglass, and his wife gave the only testimony (including many details) about the Rosenberg activities connected with espionage. David Greenglass, involved in his confessed act, while employed at Los Alamos, of making a machine concerned with Atomic experiments which he received \$500 from Harry Gold, later convicted of espionage. No other witness, document or exhibit corroborated this testimony against the Rosenbergs. In consequence of it, Greenglass received a comparatively light prison sentence and his wife was not indicted.

The only other witnesses throwing any light upon the case were Max Elitcher, an acquaintance of Rosenberg, Ellis Bentley, notorious informer, and Harry Gold. Elitcher, who for some time had been liable to indictment for perjury, after long interviews with the FBI, signed statements that Rosenberg had asked him to spy for the USSR and had said that Morton Sobell was "also in on this". On this testimony alone, Sobell, who was tried with the Rosenbergs, was given a 30-year prison sentence. After signing these statements, Elitcher immediately retained O. John Rogge, Greenglass's attorney, to whom Greenglass had turned over \$4000 which he had held in hiding.

Bentley and Gold, former communist party members, testified as to spying activities of the party, though neither of them claimed to have known anything about the Rosenbergs. They also spoke of a person, unknown to them, called "Julius", of whom they had heard in connection with espionage. Judge Kaufman stressed their testimony as a sort of connecting link in the case against the Rosenbergs. The fact was not brought out that Dr. Klaus Fuchs, later confessed leader in the spy ring, and with whom Gold cooperated, was known to his collaborators as "Julius".

Judge Kaufman repeatedly showed his bias against the defendants and their attorney. He assumed in his remarks that Rosenberg had been a communist party member, which had been denied by Rosenberg, though he admitted having expressed sympathy for Russia in 1941, when she was fighting the German invaders. The absurdity of the Judge's assumptions and the savagery of his harangues, when giving the death sentence, were astounding. Likewise was the decision of the Court of Appeals, made public Feb. 25, which upheld the conduct of the trial Judge, and confirmed the verdict and death sentence. It minimized the importance of proof and stressed the probability that persons holding certain opinions were likely to commit certain crimes. The case is being appealed to the Supreme Court.

In justice to the Rosenbergs and Morton Sobell and for the protection of our constitutional rights, it behooves all of us to do what we can to acquaint the public with the facts of this case. Information thereon and on steps being taken by the defense can be obtained from the National Committee to Secure Justice in the Rosenberg Case, Room 411, 246 Fifth Ave., New York City 1.

March 25, 1952.

Margaret E. Shannon
238 18th St., N.E., Washington, D.C.

To Secure Justice
Rosenberg Case

b7d

July 3, 1952

May 5 1952

FOR IMMEDIATE RELEASE

RESPECTED ROY GENERAL, AMONG THOUSANDS CALLING FOR NEW TRIAL FOR ROSENBERGS:

MOTHERS' DAY GREETINGS GO TO ETHEL ROSENBERG

Among the thousands of persons all over the United States who have joined the call for a new trial for Nathan and Ethel Rosenberg and Morton Sobell was USSA David S. Miller General (retired) Perry, Ohio, Wisconsin, Indianapolis, D.C., Rabbi Ben Zion Meir, Rabbi Benjamin Cohen, both of Los Angeles, Calif., and Judge Samuel S. Hays of Indiana

It might have been the problem of currency overvaluation.
 Oswald Rosenberg wrote to the National Committee to Secure
 Justice in the Rosenberg Case.

There are two other persons taken up for a full trial by the State, Mrs. Mary, the late, Dorothy Day, author of the Catholic Worker, and the children, Mrs. of Chicago, Mrs. Mary, and Mrs. Mary, Mrs. Mary.

William Campbell, Library, 1577 G St. William Brown, Comm., 1075 Earl
St. Paul, Los Angeles Robert Emery, noted California historian, and
member of the Los Angeles Democratic Party Central Committee; Rev.
Stephen A. Gilchrist, Los Angeles; Rev. Lincoln A. Schmidt, Los Angeles;
Rev. Howard Wilson, Los Angeles and others.

In a nationwide letter to the Rosenberg Committees and supporters, the Committee called for Monday, Day after-Thanksgiving to be spent to Ethel Rosenberg at Sing Sing, where she has been confined to the death house for almost a year. Wreathings should be addressed to Ethel Rosenberg, 354 Juniper Street, Building, New York.